



# भारत का राजपत्र The Gazette of India

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में  
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a  
separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)  
PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों द्वारा जारी किए गए विधिक आदेश और अधिसूचनाएं  
Statutory Orders and Notifications issued by the Ministries of the Government  
of India (other than the Ministry of Defence)

वित्त मंत्रालय

विभाग

नई दिल्ली, 18 मार्च, 1993

(आयकर)

का. अ. 916.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 80G की उपधारा (1) के खंड (ब) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रिय सरकार एतद्वारा "अरुलमिगु रामनाथ स्वामी टेम्पल, रामेश्वरम्" को सूचीबद्ध मंदिरों, राज्य में एक वित्तियोग्य माध्वाचार्य पूजास्थल के रूप में उक्त धारा के प्रयोगार्थ अधिसूचित करता है।

[अधिसूचना सं. 9151/फा. सं. 176/3/93  
आयकर वि. 1]

शरत चन्द्र, अधीक्षक

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 18th March, 1993

(INCOME-TAX)

S.O. 916.—In exercise of the powers conferred by clause (b) of sub-section (2) of Section 80G of the Income-tax Act,

1961 (43 of 1961), the Central Government hereby notifies the "Arulmigu Ramanathaswamy Temple, Rameswaram" to be a place of public worship of renown throughout the State of Tamil Nadu for the purpose of the said section.

[Notification No. 9251/F. No. 176/3/93-ITA-I]

SHARAT CHANDRA, Under Secy.

आदेश

नई दिल्ली, 29 अप्रैल, 1993

का. अ. 917.—भारत सरकार के संयुक्त सचिव ने, जिसे विदेशी मुद्रा संग्रहण और नक्कलें निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अधीन विधेय रूप में मंजूर किया गया है, उक्त उपधारा के अधीन आदेश का. सं. 673/54/92-सी.गु.-8 दिनांक 25-3-92 को यह विधेय जारी किया था कि श्री ब्रह्म सुन्दर गुप्ता उर्फ एम. एन. गुप्ता पुत्र श्री बीम सेन गुप्ता, (1) पी-68, ट्रेड चन्द्र नम्बर, कलकत्ता-700010; (2) निदेशक, मै. प्रीमियर माइक्रो सिस्टम प्राइवेट लिमिटेड, मुख्य मार्ग, इमराना, 2/5, एन बी रोड, कलकत्ता-700020 को निम्न कर लिया जाए और प्रेमीडेन्सी, जेल, कलकत्ता में अभिरक्षा में रखा जाए ताकि उसे ऐसा कोई भी कार्य करने से रोका जा सके जो विदेशी मुद्रा के संवर्धन के लिए हानिकारक है।

(1361)

2. केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके ;

3. अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि पूर्वोक्त व्यक्ति इस आदेश के शासकीय राजपत्र में प्रकाशन के 7 दिन के भीतर पुलिस आयुक्त, कलकत्ता के समक्ष हाजिर हो।

[फा. सं. 673/54/92-सी. शु.-8]

रूप चन्द, अवसर सचिव

#### ORDER

New Delhi, 29th April, 1993

S.O. 917.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of Section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued under F. No. 673/54/92-Cus. VIII, dated 25-3-1992 under the said sub-section directing that Shri Shyam Sunder Gupta @ S. S. Gupta, son of Shri Bhim Sen Gupta (i) P.68, Hem Chandra Nashar, Calcutta-7000010; (ii) Director, M/s. Premier Micro Systems Pvt. Ltd., Sukh Sagar, 2nd floor, 2/5, Sarat Bose Road, Calcutta-700020, be detained and kept in custody in the Presidency Jail, Calcutta with a view to preventing him from acting in any manner prejudicial to the augmentation of foreign exchange;

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed,

3. Now, therefore, in exercise of power conferred by clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Calcutta within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/54/92-Cus. VIII]

ROOP CHAND, Under Secy.

आदेश

नई दिल्ली, 29 अप्रैल, 1993

का. भा. 918.—भारत सरकार के संयुक्त सचिव, जिसे विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अधीन विशेष रूप से सशक्त किया गया है, उक्त उपधारा के अधीन आदेश फा. सं. 673/55/92-सी. शु.-8 तारीख 25-3-1992 को यह निदेश देते हुए जारी किया था कि श्री सुभाष चन्द्र शर्मा उर्फ एस. सी. शर्मा पुत्र श्री नन्दलाल शर्मा, 118, मुक्ताराम बाबू स्ट्रीट, कलकत्ता-700007, (2) 124, मेयर रोड, "नानक मैनशन", सिगापुर, (3) निदेशक, मै. सैल्टान एक्सपोर्ट (एस) प्राइवेट लिमिटेड, 60 सेसिल स्ट्रीट, सिगापुर को निरुद्ध कर लिया जाए और प्रेसीडेन्सी जेल, कलकत्ता में अभिरक्षा में रखा जाए ताकि उसे ऐसे किसी भी कार्य करने से रोका जा सके जो कि विदेशी मुद्रा के संवर्धन के लिए हानिकारक हो।

2. केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके ;

3. अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि पूर्वोक्त व्यक्ति इस आदेश के शासकीय राजपत्र में प्रकाशन के 7 दिन के भीतर पुलिस आयुक्त, कलकत्ता के समक्ष हाजिर हो।

[फा. सं. 673/55/92-सी. शु.-8]

रूप चन्द, अवसर सचिव

#### ORDER

New Delhi, the 29th April, 1993

S.O. 918.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of Section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued under F. No. 673/55/92-Cus. VIII, dated 25-3-1992 under the said sub-section directing Shri Subhash Chandra Sharma @ S. C. Sharma son of Shri Nandalal Sharma, 118, Mukhtaram Babu Street, Calcutta-700007; (ii) 124, Meyer Road, "Nanak Mansion"; Singapore; (iii) Director, Mis. Seltron Exports (S) Pvt. Ltd., 60 Cecil Street, KPB Building, Singapore be detained and kept in the Presidency Jail Calcutta with a view to preventing him from acting in any manner prejudicial to the augmentation of foreign exchange;

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed,

3. Now, therefore, in exercise of power conferred by clause (b) of sub-section (1) of Section 7 of the said Act the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Calcutta within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/55/92-Cus. VIII]

ROOP CHAND, Under Secy.

आदेश

नई दिल्ली, 30 अप्रैल, 1993

का. भा. 919.—यतः संयुक्त सचिव, भारत सरकार जिन्हें विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अंतर्गत विशेष रूप से शक्ति प्रदान की गई है, ने उक्त उपधारा के अधीन आदेश फाईल सं. 673/401/91 सी. यू. एस.-VIII दिनांक 8-11-91 जारी किया और यह निदेश दिया कि श्री सी. एम. हनीफा रूम नं. 25 दूसरा माला, बिल्डिंग नं. 205, मोहम्मद उमर कोकिल मार्ग, निशान पांडा रोड, डोगरी, बम्बई-400009 को निरुद्ध कर लिया जाए और केन्द्रीय कारागार, बम्बई में अभिरक्षा में रखा जाए जिससे कि उन्हें विदेशी मुद्रा के संवर्धन पर प्रतिकूल प्रभाव डालने वाले किसी भी तरह के कार्य करने से रोका जा सके।

2. यतः केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या स्वयं को उसने छिपा रखा है जिससे कि यह आदेश निष्पादित नहीं किया जा सके।

3. अतः अब, उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए, केन्द्रीय सरकार एतद् द्वारा पूर्वोक्त व्यक्ति को यह निर्देश देती है कि वह शासकीय राजपत्र में इस आदेश के प्रकाशित होने के 7 दिन के भीतर पुलिस आयुक्त, बम्बई के सम्मुख उपस्थित हो।

[फा. सं. 673/401/91-सी. यू. एस.-VIII]

रूप चन्द, अवसर सचिव

#### ORDER

New Delhi, the 30th April, 1993

S.O. 919.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of Section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/401/91-Cus. VIII dated 8-11-1991 under the said sub-section directing that Shri C. M. Hanifa, Room No. 28, 2nd Floor, Building No. 208, Mohd. Umar

Kokil Marg, Nishan Pada Road, Dongri Bombay-400009 be detained and kept in custody in the Central Prison, Bombay with a view to preventing him from acting in any manner prejudicial to the augmentation of foreign exchange;

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed,

3. Now, therefore, in exercise of power conferred by clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Bombay within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/401/91-Cus.VIII]  
ROOP CHAND, Under Secy.

आदेश

नई दिल्ली, 30 अप्रैल, 1993

का. भा. 920.—यतः संयुक्त सचिव, भारत सरकार जिन्हें विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उप-धारा (1) के अन्तर्गत विशेष रूप से शक्ति प्रदान की गई है, ने उक्त उपधारा के अधीन आदेश फाईल सं. 673/378/88 सी. यू. एस.-VIII दिनांक 28-9-1988 जारी किया और यह निदेश दिया कि श्री कल्याण कुमार टी. शाह, मैसर्ज आन्धरा एक्सप्रेस सर्विस 15, सद्गुरु कदम, बाबा लैन, कालबा देवी रोड, बम्बई-2, प्लेट नं. 1, पहली माला, वसुन्धरा बिल्डिंग, लिंकिंग रोड, सान्ताक्रुज (डब्ल्यू) बम्बई-54 को निरुद्ध कर लिया जाए और केन्द्रीय कारागार बम्बई में अभिरक्षा में रखा जाए जिससे कि उन्हें विदेशी मुद्रा के संवर्द्धन पर प्रतिकूल प्रभाव डालने वाले किसी भी तरह के कार्य करने से रोका जा सके।

2. यतः केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या स्वयं को उसने छिपा रखा है जिससे कि यह आदेश निष्पादित नहीं किया जा सकता।

3. अतः अब उक्त अधिनियम की धारा 7 की उप-धारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्-द्वारा पूर्वोक्त व्यक्ति को यह निर्देश देती है कि वह शासकीय राजपत्र में इस आदेश के प्रकाशित होने के 7 दिन के भीतर पुलिस आयुक्त बम्बई के सम्मुख उपस्थित हो।

[का. सं. 673/378/88-सी. यू. एस.-VIII]  
रूप चन्द, अवर सचिव

#### ORDER

New Delhi, the 30th April, 1993

S.O. 920.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of Section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued Order F. No. 673/378/88-Cus. VIII dated 28-9-1988 under the said sub-section directing that Shri Kalyan Kumar T. Shah, M/s. Andhra Express Service 15, Sadguru Kadam Baba Lane, Kalbadevi Road, Bombay-2 and (ii) Flat No. 1, 1st Floor, Vasundhara Building, Linking Road, Santacruz (W), Bombay-54 be detained and kept in custody in the Central Prison, Bombay with a view to preventing him from acting in any manner prejudicial to the augmentation of foreign exchange;

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed,

3. Now, therefore, in exercise of power conferred by clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Bombay within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/378/88-Cus.VIII]  
ROOP CHAND, Under Secy.

आदेश

नई दिल्ली, 30 अप्रैल, 1993

का. भा. 921.—यतः संयुक्त सचिव, भारत सरकार जिन्हें विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अन्तर्गत विशेष रूप से शक्ति प्रदान की गई है, ने उक्त उपधारा के अधीन आदेश फाईल सं. 673/219/87-सी. यू. एस.-VIII दिनांक 7-8-1987 जारी किया और यह निदेश दिया कि श्री उदय लाल मेघराज जैन, 70, वाजू कोटक मार्ग, फोर्ट, बम्बई को निरुद्ध कर लिया जाये और केन्द्रीय कारागार बम्बई में अभिरक्षा में रखा जाये जिससे कि उन्हें विदेशी मुद्रा के संवर्द्धन पर प्रतिकूल प्रभाव डालने वाले किसी भी तरह के कार्य करने से रोका जा सके।

2. यतः केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या स्वयं को उसने छिपा रखा है जिससे कि यह आदेश निष्पादित नहीं किया जा सकता।

3. अतः अब उक्त अधिनियम की धारा 7 की उपधारा (1) के खंड (ख) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा पूर्वोक्त व्यक्ति को यह निर्देश देती है कि वह शासकीय राजपत्र में इस आदेश के प्रकाशित होने के 7 दिन के भीतर पुलिस आयुक्त बम्बई के सम्मुख उपस्थित हो।

[का. सं. 673/219/87-सी. यू. एस.-VIII]  
रूप चन्द, अवर सचिव

#### ORDER

New Delhi, the 30th April, 1993

S.O. 921.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of Section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued Order F. No. 673/219/87-Cus.VIII dated 7-8-1987 under the said sub-section directing that Shri Udaylal Meghraj Jain, 70, Vaju Kotak Marg, Fort Bombay be detained and kept in custody in the Central Prison, Bombay with a view to preventing him from acting in any manner prejudicial to the augmentation of foreign exchange;

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed,

3. Now, therefore, in exercise of power conferred by clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Bombay within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/219/87-Cus. VIII]  
ROOP CHAND, Under Secy.

आदेश

नई दिल्ली, 30 अप्रैल, 1993

का. भा. 922.—यतः संयुक्त सचिव, भारत सरकार जिन्हें विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अन्तर्गत विशेष रूप से शक्ति प्रदान की गई है, ने उक्त उपधारा के अधीन आदेश फाईल सं. 673/151/92

सी. यू. एस. - VIII दिनांक 8-10-92 जारी किया और यह निर्देश दिया कि श्री मोहम्मद सलीम सैयद केवल, 69 टेम्कर स्ट्रीट दूसरा माला, रूम नं. 21 बम्बई-400008 को निरुद्ध कर लिया जाये और केन्द्रीय कारागार बम्बई में अभिरक्षा में रखा जाये जिससे कि उन्हें विदेशी मुद्रा के संवर्द्धन पर प्रतिकूल प्रभाव डालने वाले किसी भी तरह के कार्य करने से रोका जा सके।

2. यतः केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या स्वयं को उसने छिपा रखा है जिससे कि यह आदेश निष्पादित नहीं किया जा सकता।

3. अतः अब उक्त अधिनियम की धारा 7(1) अन्तर्गत उपाध्याय श्रेष्ठ (के खंड अष्टम) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार अतः द्वारा पूर्वोक्त व्यक्ति को यह निर्देश देती है कि वह सार्वजनिक राजपत्र में इस आदेश के प्रकाशित होने के 7 दिन के भीतर पुलिस आयुक्त बम्बई के सम्मुख उपस्थित हो।

[फा. सं. 673/151/92 - सी. यू. एस. - VIII]

रूप चन्द, अवर सचिव

### ORDER

New Delhi, the 30th April, 1993

S.O. 922.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of Section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/151/92-Cus.VIII dated 8-10-1992 under the said sub-section directing that Shri Mohamed Salim Sayed Kewal, 69, Temkar Street, 2nd Floor, Room No. 21, Bombay-400008 be detained and kept in custody in the Central Prison, Bombay with a view to preventing him from acting in any manner prejudicial to the augmentation of foreign exchange;

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed,

3. Now, therefore, in exercise of power conferred by clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Bombay within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/151/92-Cus. VIII]

ROOP CHAND, Under Secy.

आदेश

नई दिल्ली, 30 अप्रैल, 1993

का. आ. 923.—यतः संयुक्त सचिव, भारत सरकार जिन्हें विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अन्तर्गत विशेष रूप से शक्ति प्रदान की गई है, ने उक्त उपधारा के अधीन आदेश फाईल सं. 673/128/92 सी. यू. एस. - VIII दिनांक 18-8-92 जारी किया और यह निर्देश दिया कि श्री प्रशाभाई एच. गण्डु उर्फ मंगलभा गण्डु उर्फ बाबू भाई गण्डु, उर्फ काका, रूम नं. 7, बिल्डिंग नं. 2, भगवान राजा नगर, दूसरा माला पटेल एस्टेट, पटेल एस्टेट रोड, जोगेश्वरी (पू.) बम्बई-400102 को निरुद्ध कर लिया जाये और केन्द्रीय कारागार बम्बई में अभिरक्षा में रखा जाये जिससे कि उन्हें विदेशी मुद्रा के संवर्द्धन पर प्रतिकूल प्रभाव डालने वाले किसी भी तरह के कार्य करने से रोका जा सके।

2. यतः केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या स्वयं को उसने छिपा रखा है जिससे कि यह आदेश निष्पादित नहीं किया जा सकता।

3. अतः अब उक्त अधिनियम की धारा 7 की उपधारा (1) के खंड (ख) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा पूर्वोक्त व्यक्ति को यह निर्देश देती है कि वह सार्वजनिक राजपत्र में इस आदेश के प्रकाशित होने के 7 दिन के भीतर पुलिस आयुक्त बम्बई के सम्मुख उपस्थित हो।

[फा. सं. 673/128/92 - सी. यू. एस. - VIII]

रूप चन्द, अवर सचिव

### ORDER

New Delhi, the 30th April, 1993

S.O. 923.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of Section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/128/92-Cus. VIII, dated 18-8-1992 under the said sub-section directing that Shri Jangabhai H. Shahalias Mangaphai Shahalias Babubhai Shahalias, Kala, Room No. 7, Building No. 2, Bhagwan Raja Nagar, 2nd Floor, Patel Estate, Patel Estate Road, Jogeshwari (W) Bombay-400102 be detained and kept in custody in the Central Prison, Bombay with a view to preventing him from acting in any manner prejudicial to the augmentation of foreign exchange;

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed,

3. Now, therefore, in exercise of power conferred by clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Bombay within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/128/92-Cus VIII]

ROOP CHAND, Under Secy.

आदेश

नई दिल्ली, 30 अप्रैल, 1993

का. आ. 924.—यतः संयुक्त सचिव, भारत सरकार जिन्हें विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अन्तर्गत विशेष रूप से शक्ति प्रदान की गई है, ने उक्त उपधारा के अधीन आदेश फाईल सं. 673/22/92 सी. यू. एस. - VIII दिनांक 14-1-92 जारी किया और यह निर्देश दिया कि श्री दिनेश छोडेलाल मुवा उर्फ दिनेश मुवा, 15/4 गजवार स्ट्रीट चौरा बाजार, बम्बई-400002 को निरुद्ध कर लिया जाये और केन्द्रीय कारागार बम्बई में अभिरक्षा में रखा जाये जिससे कि उन्हें विदेशी मुद्रा के संवर्द्धन पर प्रतिकूल प्रभाव डालने वाले किसी भी तरह के कार्य करने से रोका जा सके।

2. यतः केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या स्वयं को उसने छिपा रखा है जिससे कि यह आदेश निष्पादित नहीं किया जा सकता।

3. अतः अब उक्त अधिनियम की धारा 7 की उपधारा (1) के खंड (ख) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा पूर्वोक्त व्यक्ति को यह निर्देश देती है कि वह सार्वजनिक राजपत्र में इस आदेश के प्रकाशित होने के 7 दिन के भीतर पुलिस आयुक्त बम्बई के सम्मुख उपस्थित हो।

[फा. सं. 673/22/92 - सी. यू. एस. - VIII]

रूप चन्द, अवर सचिव

## ORDER

New Delhi, the 30th April, 1993

S.O. 924.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of Section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/22/92-Cus. VIII, dated 14-1-1992 under the said sub-section directing that Shri Dinesh Chhotalal Bhuvra (@) Dinesh Bhuvra, 15/4, Gazdar Street, Chira Bazar, Bombay-40002 be detained and kept in custody in the Central Prison, Bombay with a view to preventing him from acting in any manner prejudicial to the augmentation of foreign exchange;

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed,

3. Now, therefore, in exercise of power conferred by clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Bombay within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/22/92 Cus VIII]  
ROOP CHAND, Under Secy.

आदेश

नई दिल्ली, 30 अप्रैल, 1993

का. प्रा. 925.—यतः संयुक्त सचिव, भारत सरकार जिन्हें विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अन्तर्गत विशेष रूप से शक्ति प्रदान की गई है, ने उक्त उपधारा के अधीन आदेश फाईल सं. 673/19/92 सी. यू. एस. - 8 दिनांक 14-1-92 जारी किया और यह निर्देश दिया कि श्री प्रकाश शान्तिनाथ मेहता उर्फ प्रकाश मेहता के - 18, सिक्का-नगर, पांचवा माला, बी. पी. रोड, बम्बई को निरुद्ध कर लिया जाए और केन्द्रीय कारागार बम्बई में अभिरक्षा में रखा जाये जिससे कि उन्हें विदेशी मुद्रा के संवर्द्धन पर प्रतिकूल प्रभाव डालने वाले किसी भी तरह के कार्य करने से रोका जा सके।

2. यतः केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या स्वयं को उसने छिपा रखा है जिससे कि यह आदेश निष्पादित नहीं किया जा सकता।

3. अतः अब उक्त अधिनियम की धारा 7 की उपधारा (1) के खंड (ख) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा पूर्वोक्त व्यक्ति को यह निर्देश देती है कि वह शासकीय राजपत्र में इस आदेश के प्रकाशित होने के 7 दिन के भीतर पुलिस आयुक्त बम्बई के सम्मुख उपस्थित हो।

[फा. सं. 673/19/92 - सी. यू. एस. - VIII]

रूप चन्द, अवर सचिव

## ORDER

New Delhi, the 30th April, 1993

S.O. 925.—Whereas the Joint Secretary to the Government of India specially empowered under sub-section (1) of Section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/19/92-Cus.VIII dated 14-1-1992 under the said sub-section directing that Shri Prakash Shantilal Mehta alias Prakash Mehta, K-18, Sikka Nagar, 5th Floor, V.P. Road, Bombay be detained and kept in custody in the Central Prison, Bombay with a view to preventing him from acting in any manner prejudicial to the augmentation of foreign exchange;

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or concealing himself so that the order cannot be executed;

3. Now therefore, in exercise of power conferred by Clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Bombay within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/19/92-CUS. VIII]  
ROOP CHAND, Under Secy.

आदेश

नई दिल्ली, 30 अप्रैल, 1993

का. प्रा. 926.—यतः संयुक्त सचिव, भारत सरकार जिन्हें विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अन्तर्गत विशेष रूप से शक्ति प्रदान की गई है, ने उक्त उपधारा के अधीन आदेश फाईल सं. 673/379/91 सी. यू. एस. - 8 दिनांक 5-9-91 जारी किया और यह निर्देश दिया कि श्री मोसा उर्फ नागूर मोरन फ्लैट नं. 13, तीसरा माला, कासम दर्वेश महल, 35 मोहम्मद अली रोड, बम्बई - 400003 को निरुद्ध कर लिया जाए और केन्द्रीय कारागार बम्बई में अभिरक्षा में रखा जाए जिससे कि उन्हें विदेशी मुद्रा के संवर्द्धन पर प्रतिकूल प्रभाव डालने वाले किसी भी तरह से कार्य करने से रोका जा सके।

2. यतः केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या स्वयं को उसने छिपा रखा है जिससे कि यह आदेश निष्पादित नहीं किया जा सकता।

3. अतः अब उक्त अधिनियम की धारा 7 की उपधारा (1) के खंड (ख) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा पूर्वोक्त व्यक्ति को यह निर्देश देती है कि वह शासकीय राजपत्र में इस आदेश के प्रकाशित होने के 7 दिन के भीतर पुलिस आयुक्त, बम्बई के सम्मुख उपस्थित हो।

[फा. सं. 673/379/91 - सी. यू. एस. - VIII]

रूप चन्द, अवर सचिव

## ORDER

New Delhi, the 30th April, 1993

S.O. 926.—Whereas the Joint Secretary to the Government of India specially empowered under sub-section (1) of Section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/379/91-Cus.VIII dated 5-9-1991 under the said sub-section directing that Shri Moosa alias Nagoor Meeran Flat No. 13, 3rd floor, Kasam Darvesh Mahal, 35, Mohamed Ali Road, Bombay-400003 be detained and kept in custody in the Central Prison, Bombay with a view to preventing him from acting in any manner prejudicial to the conservation of foreign exchange;

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or concealing himself so that the order cannot be executed;

3. Now, therefore, in exercise of powers conferred by Clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Bombay within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/379/91-CUS.VIII]  
ROOP CHAND, Under Secy.

## घादेश

नई दिल्ली, 30 अप्रैल, 1993

का. घा. 927.—यतः संयुक्त सचिव, भारत सरकार जिन्हें विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अन्तर्गत विशेष रूप से शक्ति प्रदान की गई है, ने उक्त उपधारा के अधीन आदेश फाईल सं. 673/378/91-सी. यू. एम.-8 दिनांक 5-9-91 जारी किया और यह निर्देश दिया कि श्री पारस रतनलाल जैन उर्फ पुनामिया उर्फ राजेश राम शर्मा उर्फ संजय शर्मा फ्लैट नं. 62 दूसरा माला, अहिरान्त एपार्टमेंट, स्टेशन रोड, भयान्दर (प) डिस्ट्रिक्ट थाणे, महाराष्ट्र को निष्कृत कर लिया जाय और केन्द्रीय कारागार बम्बई में अभिरक्षा में रखा जाये जिससे कि उन्हें विदेशी मुद्रा के संवर्धन पर प्रतिकूल प्रभाव डालने वाले किसी भी तरह के कार्य करने से रोका जा सके।

2. यतः केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या स्वयं को उसने छिपा रखा है जिससे कि यह आदेश निष्पादन नहीं किया जा सकता।

3. अतः अब उक्त अधिनियम की धारा 7 की उपधारा (1) के खंड (ख) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा पूर्वोक्त व्यक्ति को यह निर्देश देती है कि वह शासकीय राजपत्र में इस आदेश के प्रकाशित होने के 7 दिन के भीतर पुलिस आयुक्त बम्बई के सम्मुख उपस्थित हो।

[मं. का. 673/378/91-सी. यू. एम.-8]

रूप चन्द, अवर सचिव

## ORDER

New Delhi, the 30th April, 1993

S.O. 927.—Whereas the Joint Secretary to the Government of India specially empowered under sub-section (1) of Section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/378/91-Cus.VIII dated 5-9-1991 under the said sub-section directing that Shri Paras Ratanlal Jain alias Punamiya alias Rajeshdas Sharma alias Sanjay Sharma, Flat No. 6, IInd Floor, Arihant Apartment, Station Road, Bhayander (W), Dist. Thane (Maharashtra) be detained and kept in custody in the Central Prison, Bombay with a view to preventing him from acting in any manner prejudicial to the conservation of foreign exchange;

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or concealing himself so that the order cannot be executed;

3. Now, therefore, in exercise of power conferred by Clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Bombay within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/378/91-CUS. VIII]

ROOP CHAND, Under Secy.

## घादेश

नई दिल्ली, 30 अप्रैल, 1993

का. घा. 928.—यतः संयुक्त सचिव, भारत सरकार जिन्हें विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अन्तर्गत विशेष रूप से शक्ति प्रदान की गई है, ने उक्त उपधारा के अधीन आदेश फाईल सं. 673/368/91-सी. यू. एम.-8 दिनांक 27-8-91 जारी किया और यह निर्देश दिया कि श्री अकबर अली बरकत अली गांधी, कम नं. 4, भूतल नजदीक बादी कालोनी, मसबरा, डिस्ट्रिक्ट थाणे, महाराष्ट्र को निष्कृत कर लिया जाय और केन्द्रीय कारागार बम्बई में अभिरक्षा में रखा जाय जिससे कि उन्हें विदेशी मुद्रा के संवर्धन पर प्रतिकूल प्रभाव डालने वाले किसी भी तरह के कार्य करने से रोका जा सके।

2. यतः केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या स्वयं को उसने छिपा रखा है जिससे कि यह आदेश निष्पादन नहीं किया जा सकता।

3. अतः अब उक्त अधिनियम की धारा 7 की उपधारा (1) के खंड (ख) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा पूर्वोक्त व्यक्ति को यह निर्देश देती है कि वह शासकीय राजपत्र में इस आदेश के प्रकाशित होने के 7 दिन के भीतर पुलिस आयुक्त बम्बई के सम्मुख उपस्थित हो।

[का. सं. 673/368/91-सी. यू. एम.-8]

रूप चन्द, अवर सचिव

## ORDER

New Delhi, the 30th April, 1993

S.O. 928.—Whereas the Joint Secretary to the Government of India specially empowered under sub-section (1) of Section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/368/91-Cus.VIII dated 27-8-1991 under the said sub-section directing that Shri Sadik Hussein Surani alias Munir Susein Ali Badani alias Salim Abdul Razzak alias Hassanali Sultanali Surani alias Asfarali Ajani, Room No. 23, Suleman Building, IInd Floor, C.S.T. Road, Kurla (W), Bombay-400070 be detained and kept in custody in the Central Prison, Bombay with a view to preventing him from acting in any manner prejudicial to the augmentation of foreign exchange;

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or concealing himself so that the order cannot be executed;

3. Now, therefore, in exercise of power conferred by Clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Bombay within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/368/91-CUS.VIII]

ROOP CHAND, Under Secy.

## घादेश

नई दिल्ली, 30 अप्रैल, 1993

का. घा. 929.—यतः संयुक्त सचिव, भारत सरकार जिन्हें विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अन्तर्गत विशेष रूप से शक्ति प्रदान की गई है, ने उक्त उपधारा के अधीन आदेश फाईल सं. 673/367/91-सी. यू. एम.-8 दिनांक 27-8-91 जारी किया और यह निर्देश दिया कि श्री अकबर अली बरकत अली गांधी, कम नं. 4, भूतल नजदीक बादी कालोनी, मसबरा, डिस्ट्रिक्ट थाणे, महाराष्ट्र को निष्कृत कर लिया जाय और केन्द्रीय कारागार बम्बई में अभिरक्षा में रखा जाय जिससे कि उन्हें विदेशी मुद्रा के संवर्धन पर प्रतिकूल प्रभाव डालने वाले किसी भी तरह के कार्य करने से रोका जा सके।

2. यतः केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या स्वयं को उसने छिपा रखा है जिससे कि यह आदेश निष्पादन नहीं किया जा सकता।

3. अतः अब उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा पूर्वोक्त व्यक्ति को यह निर्देश देती है कि वह शासकीय राजपत्र में इस आदेश के प्रकाशित होने के 7 दिन के भीतर पुलिस आयुक्त बम्बई के सम्मुख उपस्थित हो।

[फा. सं. 673/367/91 - मा. यु. एम. - 8]

रूप चन्द, अवर सचिव

#### ORDER

New Delhi, the 30th April, 1993

S.O. 929.—Whereas the Joint Secretary to the Government of India specially empowered under sub-section (1) of Section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/367/91-Cus. VIII, dated 27-8-1991 under the said sub-section directing that Shri Akbarali Barkatali Gandhi, Room No. 4, Ground Floor, Near Dadi Colony, Mumbai, Distt. Thane, Maharashtra be detained and kept in custody in the Central Prison, Bombay with a view to preventing him from acting in any manner prejudicial to the augmentation of foreign exchange;

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or concealing himself so that the order cannot be executed;

3. Now, therefore, in exercise of power conferred by Clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Bombay within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/367/91-CUS.VIII]

ROOP CHAND, Under Secy

आदेश

नई दिल्ली, 30 अप्रैल, 1993

का. मा. 930.—यतः संयुक्त सचिव, भारत सरकार जिन्हें विदेशी मुद्रा संग्रहण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अन्तर्गत विशेष रूप से शक्ति प्रदान की गई है, ने उक्त उपधारा के अधीन आदेश फाईल सं. 673/358/91-सी. यु. एम. 8 दिनांक 19-3-1991 जारी किया और यह निर्देश दिया कि श्री प्रकाश भेरुनाल बोहरा, जैन मंदिर नं. 3, मांमने रोना बैंक दफ्तरी रोड, मलवाडा (ई) बम्बई-400097 को निरुद्ध कर लिया जाये और केन्द्रीय कारागार बम्बई में अभिरक्षा में रखा जाये जिसमें कि उन्हें विदेशी मुद्रा में संवर्धन पर प्रतिकूल प्रभाव डालने वाले किन्हीं भी तरह के कार्य करने से रोका जा सके।

2. यतः केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या स्वयं को उमने छिपा रखा है जिसमें कि यह आदेश निष्पादित नहीं किया जा सकता।

3. अतः अब उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा पूर्वोक्त व्यक्ति को यह निर्देश देती है कि वह शासकीय राजपत्र में इस आदेश के प्रकाशित होने के 7 दिन के भीतर पुलिस आयुक्त बम्बई के सम्मुख उपस्थित हो।

[फा. सं. 673/358/91 - सी. यु. एम. - 8]

रूप चन्द, अवर सचिव

#### ORDER

New Delhi, the 30th April, 1993

S.O. 930.—Whereas the Joint Secretary to the Government of India specially empowered under sub-section (1) of

Section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/358/91-Cus.VIII dated 19-8-1991 under the said sub-section directing that Shri Prakash Behrual Bohra, Jain Mansion No. 3, Opp. Dena Bank, Daftary Road, Malad (E), Bombay-400097, be detained and kept in custody in the Central Prison, Bombay with a view to preventing him from acting in any manner prejudicial to the augmentation of foreign exchange;

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or concealing himself so that the order cannot be executed;

3. Now, therefore, in exercise of power conferred by Clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Bombay within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/358/91-CUS.VIII]

ROOP CHAND, Under Secy.

आदेश

नई दिल्ली 30 अप्रैल, 1993

का. मा. 931.—यतः संयुक्त सचिव, भारत सरकार जिन्हें विदेशी मुद्रा संग्रहण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अन्तर्गत विशेष रूप से शक्ति प्रदान की गई है, ने उक्त उपधारा के अधीन आदेश फाईल सं. 673/325/91 सी. यु. एम. VIII दिनांक 12/7/91 जारी किया और यह निर्देश दिया कि श्री मूसा मोहम्मद शेख 1-6-8, शिवाजी नगर, गोवन्दी, बम्बई।

को निरुद्ध कर लिया जाये और केन्द्रीय कारागार बम्बई में अभिरक्षा में रखा जाये जिसमें कि उन्हें विदेशी मुद्रा के संवर्धन पर प्रतिकूल प्रभाव डालने वाले किन्हीं भी तरह के कार्य करने से रोका जा सके।

2. यतः केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या स्वयं को उमने छिपा रखा है जिसमें कि यह आदेश निष्पादित नहीं किया जा सकता।

3. अतः अब उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा पूर्वोक्त व्यक्ति को यह निर्देश देती है कि वह शासकीय राजपत्र में इस आदेश के प्रकाशित होने के 7 दिन के भीतर पुलिस आयुक्त, बम्बई के सम्मुख उपस्थित हो।

[फा. सं. 673/325/91 सी. यु. एम. - 8]

रूप चन्द, अवर सचिव

#### ORDER

New Delhi, the 30th April, 1993

S.O. 931.—Whereas the Joint Secretary to the Government of India specially empowered under sub-section (1) of Section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order No. F. 673/325/91-Cus.VIII dated 12-7-1991 under the said sub-section directing that Shri Moosa Mohd. Shaikh, 1/G/8, Shivaji Nagar, Govandi, Bombay be detained and kept in custody in the Central Prison, Bombay with a view to preventing him from acting in any manner prejudicial to the augmentation of foreign exchange;

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or concealing himself so that the order cannot be executed;

3. Now, therefore, in exercise of power conferred by Clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person

to appear before the Commissioner of Police, Bombay within 7 days of the publication of this order in the Official Gazette.

exchange; [F. No. 673/325/91-CUS.VIII]  
ROOP CHAND, Under Secy.

आदेश

नई दिल्ली, 30 अप्रैल, 1993

का. आ. 932.—यतः संयुक्त सचिव, भारत सरकार जिन्हें विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 51) की धारा 3 की उप धारा (1) के अन्तर्गत विशेष रूप से शक्ति प्रदान की गई है, ने उक्त उपधारा के अधीन आदेश फाईल सं. 673/175/89 सं. य. एम. VIII दिनांक 16-5-89 जारी किया और यह निर्देश दिया कि श्री चन्दा टी. सदरगानी, मेमर्ज लक्की ट्रेवल, पुना फ्लैट नं. 4, पद्माजी कम्पाउंड, भवानी पेठ, पुना को निरुद्ध कर लिया जाये और केन्द्रीय कारागार बम्बई में अभिरक्षा में रखा जाये जिससे कि उन्हें विदेशी मुद्रा के संवर्धन पर प्रतिकूल प्रभाव डालने वाले किसी भी तरह के कार्य करने से रोका जा सके।

2. यतः केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या स्वयं को उसने छिपा रखा है जिससे कि यह आदेश निष्पादित नहीं किया जा सकता है।

3. अतः अब उक्त अधिनियम की धारा 7 की उप-धारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा पूर्वोक्त व्यक्ति को यह निर्देश देता है कि वह शासकीय राजमन्त्र में इस आदेश के प्रकाशित होने के 7 दिन के भीतर पुलिस आयुक्त, बम्बई के सम्मुख उपस्थित हो।

[फा. सं. 673/175/89 सं. य. एम. 8]

रूप चन्द, अवर सचिव

ORDER

New Delhi, the 30th April, 1993

S.O. 932.—Whereas the Joint Secretary to the Government of India specially empowered under sub-section (1) of Section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/175/89-Cus. VIII dated 16-5-1989 under the said sub-section directing that Shri Chandru T. Sadarangani of M/s. Lucky Travels, Poona, Residing at Laxmi Niwas, Flat No. 4, Padmaji Compound, Bhawani Peth, Poona, be detained and kept in custody in the Central Prison, Pune with a view to preventing him from acting in any manner prejudicial to the augmentation of foreign exchange;

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or concealing himself so that the order cannot be executed;

3. Now, therefore, in exercise of power conferred by Clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Bombay within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/175/89-CUS.VIII]

ROOP CHAND, Under Secy.

आदेश

नई दिल्ली, 30 अप्रैल, 1993

का. आ. 933.—यतः संयुक्त सचिव, भारत सरकार जिन्हें विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उप धारा (1) के अन्तर्गत विशेष

रूप से शक्ति प्रदान की गई है, ने उक्त उपधारा के अधीन आदेश फाईल सं. 673/151/89 सं. य. एम. VIII दिनांक 7-4-1989 जारी किया और यह निर्देश दिया कि श्री नीलाराम अक्षर मल अकटराये पुत्र ओधरमल जेठमल अकटराये, 832, दस्तुर मेहर रोड, पुणे फैशन, पुणे (ii) मेमर्ज फैशन सेंटर 539, सी सेंटर स्ट्रीट, पुणे को निरुद्ध कर लिया जाये और केन्द्रीय कारागार बम्बई में अभिरक्षा में रखा जाये जिससे कि उन्हें विदेशी मुद्रा के संवर्धन पर प्रतिकूल प्रभाव डालने वाले किसी भी तरह के कार्य करने से रोका जा सके।

2. यतः केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या स्वयं को उसने छिपा रखा है जिससे कि यह आदेश निष्पादित नहीं किया जा सकता है।

3. अतः अब उक्त अधिनियम की धारा 7 की उप-धारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा पूर्वोक्त व्यक्ति को यह निर्देश देती है कि वह शासकीय राजमन्त्र में इस आदेश के प्रकाशित होने के 7 दिन के भीतर पुलिस आयुक्त, बम्बई के सम्मुख उपस्थित हो।

[फा. सं. 673/151/89 सं. य. एम. 8]

रूप चन्द, अवर सचिव

ORDER

New Delhi, the 30th April, 1993

S.O. 933.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of Section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/151/89 Cus. VIII dated 7th April, 1989 under the said sub-section directing that Shri Leclaram Odharmal Akatarai S/o Odharmal Jethmal Akatarai, 832, Dastur Meher Road, Pune Camp., Pune, (ii) M/s. Fashion Centre, 539, Centre Street, Pune be detained and kept in custody in the Central Prison, Pune with a view to preventing him from acting in any manner prejudicial to the augmentation of foreign exchange;

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or concealing himself so that the order cannot be executed;

3. Now, therefore, in exercise of power conferred by Clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Bombay within 7 days of the publication of this order in the official Gazette.

[F. No. 673/151/89-CUS. VIII]

ROOP CHAND, Under Secy.

आदेश

नई दिल्ली, 30 अप्रैल, 1993

का. आ. 934.—यतः संयुक्त सचिव, भारत सरकार जिन्हें विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 51) की धारा 3 की उप धारा (1) के अन्तर्गत विशेष रूप से शक्ति प्रदान की गई है, ने उक्त उपधारा के अधीन आदेश फाईल सं. 673/357/88 सं. य. एम. VIII दिनांक 10-10-88 जारी किये और यह निर्देश दिया कि श्री भागत हंसराज ठक्कर पुत्र श्री हंसराज साधवजी ठक्कर (i) रूप लोला गृह ताग रोड, बम्बई 400049 (ii) 517, मेकर चेम्बरस बॉ. नरमन पॉइंट बम्बई 400011 को निरुद्ध कर लिया जाये और केन्द्रीय कारागार, बम्बई में अभिरक्षा में रखा जाये जिससे कि उन्हें विदेशी मुद्रा के संवर्धन पर प्रतिकूल प्रभाव डालने वाले किसी भी तरह के कार्य करने से रोका जा सके।

2. अतः केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या स्वयं को उसने छिपा रखा है जिससे कि यह आदेश निष्पादित नहीं किया जा सकता है।



3. अतः अब उक्त अधिनियम की धारा 7 की उप धारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा पूर्वोक्त व्यक्ति को यह निर्देश देती है कि वह शासकीय राजपत्र में इस आदेश के प्रकाशित होने के 7 दिन के भीतर पुलिस आयुक्त, बम्बई के समुच्च उपस्थित हो।

[फा. सं. 673/457/88 सी. यू. एस. VIII]

रूप चन्द, अवर सचिव

## ORDER

New Delhi, the 30th April, 1993

S.O. 934.—Whereas the Joint Secretary to the Government of India, specifically empowered under sub-section (1) of Section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/457/88-CUS. VIII dated 10-10-1988 under the said sub-section directing that Shri Bharat Hansraj Thakker, S/o Shri Hansraj Madavji Thakker, (i) Roop Leela, Juhu Tara Road, Bombay-400049, (ii) 517, Maker Chambers V. Nariman Point, Bombay-400021 be detained and kept in custody in the Central Prison, Bombay with a view to preventing him from acting in any manner prejudicial to the conservation of foreign exchange ;

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or concealing himself so that the order cannot be executed ;

3. Now, therefore, in exercise of power conferred by clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Bombay within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/457/88-CUS. VIII]

ROOP CHAND, Under Secy.

आदेश

नई दिल्ली 30 अप्रैल, 1993

फा. सं. 935—यतः संयुक्त सचिव, भारत सरकार जिन्हें विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम 1974 (1974 का 52) की धारा 3 की उप धारा (1) के अंतर्गत विशेष रूप से प्रदान की गई है, ने उक्त अधिनियम के अधीन आदेश फाईश सं. 673/454/88 सी. यू. एस. VIII दिनांक 10-10-88 जारी किया और यह निर्देश दिया कि श्री किराण मुहम्मद हसन बालजी, कान्ति एपार्टमेंट फ्लैट नं. 804-ए माऊंट रोड बान्द्रा (उत्तर) बम्बई 400050 को निरुद्ध कर लिया जाए और केन्द्रीय कारागार बम्बई में अतिरक्षित रखा जाये जिससे कि उन्हें विदेशी मुद्रा के संवर्द्धन पर प्रतिकूल प्रभाव डालने वाले किसी भी तरह के कार्य करने में रोक जा सके।

2. यतः केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या स्वयं को उल्लेखित रखा है जिससे कि यह आदेश निष्पादित नहीं किया जा सके।

3. अतः अब उक्त अधिनियम की धारा 7 की उप धारा (ii) खण्ड (ख) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा पूर्वोक्त व्यक्ति को यह निर्देश देती है कि वह शासकीय राजपत्र में इस आदेश के प्रकाशित होने के 7 दिन के भीतर पुलिस आयुक्त, बम्बई के समुच्च उपस्थित हो।

[फा. सं. 673/454/88 सी. यू. एस. VIII]

रूप चन्द, अवर सचिव

## ORDER

New Delhi, the 30th April, 1993

S.O. 935.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of Section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/454/88-CUS. VIII dated 10-10-1988 under the said sub-section directing that Shri Firoz Gulam Hussain Lalami, Kanti Apartment, Flat No. 804-A, Mount Mary Road, Bandra (W), Bombay-400050 be detained and kept in custody in the Central Prison, Bombay with a view to preventing him from acting in any manner prejudicial to the augmentation of foreign exchange ;

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or concealing himself so that the order cannot be executed ;

3. Now, therefore, in exercise of power conferred by clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Bombay within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/454/88-CUS. VIII]

ROOP CHAND, Under Secy.

आदेश

नई दिल्ली 30 अप्रैल, 1993

फा. सं. 936—यतः संयुक्त सचिव, भारत सरकार जिन्हें विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम 1974 (1974 का 52) की धारा 3 की उप धारा (1) के अंतर्गत विशेष रूप से प्रदान की गई है, ने उक्त अधिनियम के अधीन आदेश फाईश सं. 673/287/88 सी. यू. एस. VIII दिनांक 30-6-1988 जारी किया और यह निर्देश दिया कि श्री मोहम्मद जफरुल्लाह बालजी, कान्ति एपार्टमेंट फ्लैट नं. 301 तीसरी मंजिल रोड बान्द्रा (उत्तर) बम्बई को निरुद्ध कर लिया जाए और केन्द्रीय कारागार बम्बई में अतिरक्षित रखा जाये जिससे कि उन्हें विदेशी मुद्रा के संवर्द्धन पर प्रतिकूल प्रभाव डालने वाले किसी भी तरह के कार्य करने में रोक जा सके।

2. यतः केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या स्वयं को उल्लेखित रखा है जिससे कि यह आदेश निष्पादित नहीं किया जा सके।

3. अतः अब उक्त अधिनियम की धारा 7 की उप धारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा पूर्वोक्त व्यक्ति को यह निर्देश देती है कि वह शासकीय राजपत्र में इस आदेश के प्रकाशित होने के 7 दिन के भीतर पुलिस आयुक्त, बम्बई के समुच्च उपस्थित हो।

[फा. सं. 673/287/88 सी. यू. एस. VIII]

रूप चन्द, अवर सचिव

## ORDER

New Delhi, the 30th April, 1993

S.O. 936.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of Section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/287/88-CUS. VI dated 30-6-1988 under the said sub-section directing that Shri Mohd. Zakaria Danda, S/o Abdul Rehman, Rizvi Park, Flat No. 301, 3rd floor, C-Wing Santa Cruz (W), Bombay, be detained and kept in custody in the Central Prison, Bombay with a view to preventing him from acting in any manner prejudicial to the augmentation of foreign exchange ;

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or concealing himself so that the order cannot be executed ;

3. Now, therefore, in exercise of power conferred by clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Bombay within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/287/88-CUS. VIII].

ROOP CHAND, Under Secy.

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 17 अप्रैल, 1993

का. भा. 937.—भारतीय रिजर्व बैंक अधिनियम, 1934 (1934 का 2) की धारा 50 द्वारा प्रदत्त शक्तियों का प्रयोग करने हेतु, केन्द्रीय सरकार एतद्वारा चार्टर्ड लेखापरीक्षकों की निम्नलिखित फर्मों को 1992-93 के लिए भारतीय रिजर्व बैंक के लेखापरीक्षकों के रूप में नियुक्त करता है तथा

1. मैसर्स ब्रह्मय्या एण्ड कं.  
चार्टर्ड लेखापरीक्षक,  
आन्ध्रा इन्सुरेंस बिल्डिंग,  
156, थम्बु चेट्टी स्ट्रीट,  
मद्रास
2. मैसर्स एम. एस. सेथाराम एण्ड कं.  
चार्टर्ड लेखापरीक्षक,  
यूनिवर्सल इन्सुरेंस बिल्डिंग,  
फिरोज़शाह मेहता रोड,  
बम्बई-400001
3. मैसर्स सोबल गॉ एण्ड कं.  
चार्टर्ड लेखापरीक्षक,  
ई-588, ग्रेटर किलाश II,  
नई दिल्ली।
4. मैसर्स जे. एन. शर्मा एण्ड कं.  
चार्टर्ड लेखापरीक्षक,  
58/4, बिरहाना रोड,  
पो. बा. सं-189,  
कानपुर-208001
5. मैसर्स एम. आनन्धम एण्ड कं.  
चार्टर्ड लेखापरीक्षक,  
6549, राथरापति रोड,  
हैदराबाद
6. मैसर्स मित्रा, कुन्दु एंड बासु  
चार्टर्ड लेखापरीक्षक,  
1, आचार्य जे. सी. बोस रोड,  
कलकत्ता

[सं. एफ. 1/2/93-बो. ऑ. ए.]

एन. एस. सेथारामन, अवर सचिव

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 27th April, 1993

S.O. 937.—In exercise of the powers conferred by section 50 of the Reserve Bank of India Act, 1934 (2 of 1934), the Central Government hereby appoints the following firms of Chartered Accountants as Auditors of the Reserve Bank of India for the year 1992-93 namely :—

1. M/s. Brahmayya & Co.,  
Chartered Accountants,  
Andhra Insurance Building,  
156, Thambu Chetty Street,  
Madras.

2. M/s. N. M. Rajji & Co.,  
Chartered Accountants,  
Universal Insurance Building,  
Pheroze Shah Mehta Road,  
Bombay-400001.

3. M/s. Goel Garg & Co.,  
Chartered Accountants,  
E-588, Greater Kailash-II,  
New Delhi-110048.

4. M/s. J. N. Sharma & Co.,  
Chartered Accountants,  
58/4, Birhana Road,  
P.B. No. 389,  
Kanpur-208001.

5. M/s. M. Anantham & Co.,  
Chartered Accountants,  
6549, Rathtrapati Road,  
Hyderabad.

6. M/s. Mitra, Kundu & Basu,  
Chartered Accountants,  
1, Acharya J. C. Bose Road,  
Calcutta.

[No. F. 1/3/93-BOA]

M. S. SEETHARAMAN, Under Secy.

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 30 अप्रैल, 1993

का. भा. 938.—भारतीय रिजर्व बैंक की संस्तुति पर, बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करने हेतु केन्द्र सरकार, एतद्वारा घोषणा करता है कि निम्नलिखित बैंकों के मामले में 31 मार्च, 1993 को समाप्त वर्ष के लिए उनके द्वारा उनके तुल्य-पत्र, लाप-हानि लेखे एवं लेखा परीक्षक की रिपोर्ट समाचार पत्रों में प्रकाशित करने के संबंध में बैंककारी विनियमन (सहकारी संस्थानियाँ) नियमावली, 1966 के नियम 10 के साथ पठित उक्त अधिनियम की धारा 11 के उपबंध उन पर लागू नहीं होंगे।

1. दि धरूर को-ऑपरेटिव अर्बन बैंक लि.
2. दि बडागारा को-ऑपरेटिव अर्बन बैंक लि.
3. दि बागूसेरी को-ऑपरेटिव अर्बन बैंक लि.
4. दि भवनेसिंग सर्वेन्ट्स को. बैंक लि.
5. दि मेधापूर को-ऑपरेटिव अर्बन बैंक लि.
6. दि नेम्माग को-ऑपरेटिव अर्बन बैंक लि.
7. दि चंपलविरा को-ऑपरेटिव अर्बन बैंक लि.
8. दि कट्टापपना अर्बन को-ऑपरेटिव बैंक लि.
9. दि कोट्टुवापूर को-ऑपरेटिव अर्बन बैंक लि.
10. दि मोंरतूर को-ऑपरेटिव अर्बन बैंक लि.

[नं. 10(7)/93-विकास]

कु. मोना शर्मा, संपुक्त निदेशक

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 30th April, 1993

S.O. 938.—In exercise of the powers conferred by Section 53 read with Section 56 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government on the recommendation of the Reserve Bank of India hereby declares that the provisions of Section 31 of the said Act read with Rule 10 of the Banking Regulation (Co-operative Societies)

Rules, 1966 shall not apply to the under noted banks in so far as they relate to the publication of their balance sheet and profit and loss account for the year ended 31st March, 1992 with the auditor's report in the newspaper.

1. The Adoor Co-operative Urban Bank Ltd.
2. The Badagara Co-operative Urban Bank Ltd.
3. The Balusseri Co-operative Urban Bank Ltd.
4. The Government Servants' Co-operative Bank Ltd.
5. The Meppayur Co-operative Urban Bank Ltd.
6. The Nemmara Co-operative Urban Bank Ltd.
7. The Changanacherry Co-operative Urban Bank Ltd.
8. The Kattappana Urban Co-operative Bank Ltd.
9. The Koduvayur Co-operative Urban Bank Ltd.
10. The Shoranur Co-operative Urban Bank Ltd.

[No. 10(7)/93-Dev.]

KUM. MONA SHARMA, Jt. Director

कलकत्ता, 7 अक्टूबर, 1992

आयकर

का.भा. 939.—सर्वसाधारण की सूचना के लिये एतद्वारा यह अधिसूचना जारी की जाती है कि निम्नलिखित संगठन को, आयकर अधिनियम 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिये आयकर नियम, 1962 के नियम 6 के अर्धीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर 'संघ' प्रवर्ग के अर्धीन अनुमोदित किया गया है।

- (i) संगठन वैज्ञानिक अनुसंधान के लिये प्राप्त धन के लिये एक अलग लेखा रखेगा।
- (ii) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिये, प्रत्येक वर्ष की 31 मई तक, सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग 'औद्योगिक भवन', न्यू महाराजी रोड, नई दिल्ली-110016 को भेजेगा।
- (iii) यह प्रत्येक वर्ष की 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखों की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक आयुक्त और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) उनके क्षेत्राधिकार के अंतर्गत संगठन पढ़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिसर्च क्रिया-कलाप सम्बन्धित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम

सैरम इंस्टीट्यूट ऑफ इण्डिया रिसर्च फाउंडेशन  
(एस आई आई आरएफ) सरोश भवन, 16-बी1, डा. अम्बेडकर रोड,  
पुणे-411001

यह अधिसूचना दिनांक 1-4-92 से 31-3-93 तक की अवधि के लिए प्रभावी है।

टिप्पणी: 1. उपर्युक्त गत (i) 'संघ' प्रवर्ग के लिए लागू नहीं होगा।

- 2 संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) उनके क्षेत्राधिकार में संगठन पढ़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता की तीन प्रतियों में आवेदन करें,

अनुमोदन की अवधि बढ़ाने के सम्बन्ध में किए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[सं. 724 (का.सं.डी.जी./भा. कर (छूट)/एम-41/कल./35 (1)(ii)/90-91]

ए.के. बिस्वास, उपनिदेशक

Calcutta, the 7th October, 1992.

### INCOME-TAX

S.O. 939.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "Association" subject to the following conditions:

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of the Income-tax Act, 1961.

### NAME OF THE ORGANISATION

Serum Institute of India Research Foundation (SIIRF).  
Sarosh Bhawan,  
16-B/1, Dr. Ambedkar Road,  
Pune-411001.

This Notification is effective for the period from 01-04-92 to 31-03-93.

NOTES: 1. Condition (i) above will not apply to organisations categorised as associations.

2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 724(F. No. DG/IT(E)/M-41/35(1)(ii)/90-91]

A. K. BISWAS, Dy. Director

महानिदेशक (आयकर छूट) का कार्यालय

कलकत्ता, 10 अगस्त, 1992

आयकर

का.भा. 940.—सर्वसाधारण की सूचना के लिये एतद्वारा यह अधिसूचना जारी की जाती है कि निम्नलिखित संगठन को, आयकर अधिनियम 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिये, आयकर नियम, 1962 के नियम 6 के अर्धीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर अनुमोदित किया गया है।

(1) संगठन वैज्ञानिक अनुसंधान के लिये प्राप्त धन के लिये एक धरा लेखा रखेगा।

(2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिये, प्रत्येक वर्ष को 31 मई तक, सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, 'औद्योगिक भवन', न्यू महरौली रोड, नई दिल्ली-110016 को भेजेगा।

(3) यह प्रत्येक वर्ष को 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखों की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक आयुक्त, और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई विस्तृत क्रिया-कलाप सम्बन्धित छूट के बारे में लेखा परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम

सेक्टर फॉर डेवलपमेंट ऑफ टेलीमेटिक्स 9वां, मंजिल, अकबर भवन, चाणक्यपुरी नई दिल्ली-110002.

यह अधिसूचना दिनांक 1-4-1991 से 31-3-1993 तक की अवधि के लिए प्रभावी है।

टिप्पणी: 1. उपर्युक्त शर्त (1) 'संघ' जैसा प्रवर्ग के लिए लागू नहीं होगा।  
2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तब प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के सम्बन्ध में किए आवेदन-पत्र का 6 प्रतियां सचिव वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करता है।

[सं. 704 (फा. सं. सी. जी. आ. कर/ (छूट) एन/सी-35/कल./35/(1)(ii)/90-91]

ए. के. बिस्वास, उपनिदेशक

[Office of the Director General of Income Tax (Exemptions)]

Calcutta, the 10th August, 1992

### INCOME-TAX

S.O. 940.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions:

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

### NAME OF THE ORGANISATION

Centre for Development of Telematics,  
9th Floor, Akbar Bhavan, Chanyakya Purl,  
New Delhi-110002.

This Notification is effective for the period from 1-4-91 to 31-3-93.

### Notes:

1. Condition (i) above will not apply to organisations categorised as associations.
2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 704/F. No. DG/IT(E)/ND-35/35(1)(ii)/90-91]

A. K. BISWAS, Dy. Director

आयकर

कलकत्ता, 10 अगस्त, 1993

आ. आ. 941 :—सर्वसाधारण का सूचना के लिये एतद्वारा यह अधिसूचना जारी की जाती है कि निम्नलिखित संगठन को, आयकर अधिनियम 1961 की धारा 35 की उपधारा (1) के खण्ड (iii) के लिये, आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर संस्वान प्रवर्ग के अधीन अनुमोदित किया गया है।

- (i) संगठन वैज्ञानिक अनुसंधान के लिये प्राप्त धन के लिये एक धरा लेखा रखेगा।
- (ii) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिये, प्रत्येक वर्ष को 31 मई तक, सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, "औद्योगिक भवन", न्यू महरौली रोड, नई दिल्ली-110016 को भेजेगा।

(iii) यह प्रत्येक वर्ष को 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखों की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक आयुक्त और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई विस्तृत क्रिया-कलाप सम्बन्धित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम

ड. इण्डियन लॉ इन्स्टिट्यूट  
भगवान दास रोड,  
नई दिल्ली-110001

यह अधिसूचना दिनांक 12-7-90 से 31-3-93 तक की अवधि के लिए प्रभावी है।

टिप्पणी :—1. उपर्युक्त शर्त (i) 'संघ' जैसा प्रवर्ग के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के

माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में भ्रावेदन करें, अनुमोदन की अवधि बढ़ाने के सम्बन्ध में किए भ्रावेदन—पत्र को 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[सं. 705 (फा. सं. जी. जी. / आ. कर (छूट) / एम. सी. 44/कल./ 35 / (1) (iii) / 90-91]

ए. के. बिस्वास, उपनिदेशक

Calcutta, the 10th August, 1992

#### INCOME-TAX

S.O. 941.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions:

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, "Technology Bhawan" New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

#### NAME OF THE ORGANISATION

The Indian Law Institute,  
Bhagwandas Road,  
New Delhi-110001.

This Notification is effective for the period from 12-7-90 to 31-3-93.

#### Notes:

1. Condition (i) above will not apply to organisations categorised as associations.
2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 705/F. No. DG/IT(E)/ND-44/35(1)(iii)/90-91]

A. K. BISWAS, Dy. Director

कलकत्ता, 14 अगस्त, 1992

आयकर

का. भा. 942.—सर्वसाधारण की सूचना के लिये एतद्वारा यह अधिसूचना जारी किया जाता है कि निम्नलिखित संघ को आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिये, आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संस्था" प्रवर्ग के अधीन अनुमोदित किया गया है।

(1) संगठन वैज्ञानिक अनुसंधान के लिये प्राप्त धन के लिये एक अलग लेखा रखेगा।

(2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों/कार्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिये, प्रत्येक वर्ष को 31 मई तक, सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग "औद्योगिक भवन" न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा।

(3) यह प्रत्येक वर्ष को 31 अक्टूबर तक लेखा—परीक्षित वार्षिक लेखों को प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक आयुक्त और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संघटन पड़ता है और आयकर अधिनियम, 1961 की धारा 35 (1) में दी गई रिसर्च क्रिया-कलाप सम्बन्धित छूट के बारे में लेखा-परीक्षित आय-व्यय विवरण को भी प्रस्तुत करेगा।

#### संघ का नाम

बं. गुजरात रिसर्च एण्ड मेडिकल इन्स्टीट्यूट,  
नैन्स रोड, शांतिबाग, अहमदाबाद—380001

यह अधिसूचना दिनांक 1-4-1992 से 31-3-1993 तक की अवधि के लिए प्रभावी है।

टिप्पणी.—1. उपर्युक्त शर्तें (1) "संघ" जैसा प्रवर्ग के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संघटन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में भ्रावेदन करें, अनुमोदन की अवधि बढ़ाने के सम्बन्ध में किए भ्रावेदन-पत्र को 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[सं. 706 (फा. सं. जी. जी. / आ. कर (छूट) / जो-91/कल./ 35 / (1) (ii) / 90-91]

ए. के. बिस्वास, उपनिदेशक

Calcutta, the 14th August, 1992

#### INCOME-TAX

S.O. 942.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions:

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, "Technology Bhawan" New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under

sub-section (1) of Section 35 of Income-tax Act, 1961.

#### NAME OF THE ORGANISATION

The Gujarat Research and Medical Institute,  
Camp Road, Shanibaug,  
Ahmedabad-380004.

This Notification is effective for the period from 1-4-1992 to 31-3-1993.

#### Notes :

1. Condition (i) above will not apply to organisations categorised as associations.
2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 706/F. No. DG/IT(E)/G-51/35(1)(ii)|90-91]

A. K. BISWAS, Dy. Director

कलकत्ता, 31 अगस्त, 1992

आयकर

का. भा. 943:--सर्वसाधारण की सूचना के लिये एतद्वारा यह अधिसूचना जारी किया जाता है कि निम्नलिखित संगठन को आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिये, आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संस्थान" प्रवर्ग के अधीन अनुमोदित किया गया है।

- (1) संगठन वैज्ञानिक अनुसंधान के लिये प्राप्त धन के लिये एक खलना लेखा रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिये, प्रत्येक वर्ष को 31 मई तक, सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, "औद्योगिक मकान", न्यू मेट्रोपली रोड, नई दिल्ली-110016 को भेजेगा।
- (3) यह प्रत्येक वर्ष को 31 अक्टूबर तक लेखा-परीक्षण वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक आयुक्त और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दो मई तिथि तक क्रियाकलाप सम्बन्धित छूट के बारे में लेखा-परीक्षण वाग-व्यव द्वाारा की भी प्रस्तुत करेगा।

#### संगठन का नाम

कमला नेहरू मेमोरियल हॉस्पिटल,  
हशिमपुर रोड,  
अलाहाबाद-211002

यह अधिसूचना दिनांक 1-4-92 से 31-3-93 तक की अवधि के लिए प्रभावी है।

टिप्पणी:--1 अर्थात्क भा. (1) "संभ" जैसा प्रांग के लिए लागू नहीं होगा।

2. संगठन को मुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट) कलकत्ता को तीन प्रतियों में आवेदन करे, अनुमोदन की अवधि बढ़ाने के सम्बन्ध में किए आवेदन-पत्र की 6 प्रतियों सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[मं. 707(फा. सं. डा. बी. का. कर (छूट)/एन. डी.-98/कल./35/(1)/(ii)|90-91]

ए. के. बिस्वास, उपनिदेशक

Calcutta, the 31st August, 1992

#### INCOME-TAX

S.O. 943.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions.

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

#### NAME OF THE ORGANISATION

Kamala Nehru Memorial Hospital,  
Hashimpur Road,  
Allahabad-211002.

This Notification is effective for the period from 1-4-92 to 31-3-93.

#### Notes :

1. Condition (i) above will not apply to organisations categorised as associations.
2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 707/F. No. DG/IT(E)/ND-98/35(1)(ii)|90-91]

A. K. BISWAS, Dy. Director

कलकत्ता, 31 अगस्त, 1992

आयकर

का. भा. 944:--सर्वसाधारण की सूचना के लिये एतद्वारा यह अधिसूचना जारी किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा

(1) के खण्ड (ii) के लिये आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संस्थान" प्रवर्ग के अधीन अनुमोदित किया गया है।

- (1) संगठन वैज्ञानिक अनुसंधान के लिये प्राप्त धन के लिये एक अलग लेखा रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिये, प्रत्येक वर्ष की 31 मई तक, सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, 'औद्योगिक भवन', न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा।
- (3) यह प्रत्येक वर्ष की 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखों की एक प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक आयुक्त और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिस्चं क्रिया-कलाप सम्बन्धित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब का भी प्रस्तुत करेगा।

संगठन का नाम

हैदराबाद साइन्स सोसायटी

मेहदीपतनम, हैदराबाद,

हैदराबाद-500028

यह अधिसूचना दिनांक 1-4-91 से 31-3-92 तक की अवधि के लिए प्रभावी है।

टिप्पणी:—1. उक्त शर्त (1) "मंथ" जैसा प्रवर्ग के लिए लागू नहीं होगा।

संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट): कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के सम्बन्ध में किए आवेदन-पत्र को 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत कराना है।

[स. 708 (फा. स. डी. डी./आ. कर (छूट)/ए. ए. 1/कल./35/(1)(ii)/90-91]

ए. के. बिस्वास, उपनिदेशक

Calcutta, the 31st August, 1992

#### INCOME-TAX

S.O. 944.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions:

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

#### NAME OF THE ORGANISATION

Hyderabad Science Society,  
Mehdipatnam, Hyderabad,  
Hyderabad-500028.

This Notification is effective for the period from 1-4-91 to 31-3-92.

#### Notes:

1. Condition (i) above will not apply to organisations categorised as associations.
2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 708/E. No. DG/IT(E)/AP-135(1)(ii)/90-91]

A. K. BISWAS, Dy Director

कलकत्ता, 31 अगस्त, 1992

#### आयकर

का.प्र. 944:—सर्वसाधारण को सूचना के लिये एतद्वारा यह अधिसूचना जारी किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिये, आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर 'संस्थान' प्रवर्ग के अधीन अनुमोदित किया गया है।

(1) संगठन वैज्ञानिक अनुसंधान के लिये प्राप्त धन के लिये एक अलग लेखा रखेगा।

(2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिये, प्रत्येक वर्ष की 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, 'औद्योगिक भवन', न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा।

(3) यह प्रत्येक वर्ष की 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखों की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक आयुक्त और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिस्चं क्रिया-कलाप सम्बन्धित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम

विधासना रिगर्च इन्स्टिट्यूट,

ग्रोन हाउस, ग्रीन हिली,

कोर्ट,

वम्बई-400023

यह अधिसूचना दिनांक 1-4-92 से 31-3-94 तक की अवधि के लिए प्रभावी है।

टिप्पणी: 1 उपर्युक्त शर्त (1) 'मंथ' जैसा प्रवर्ग के लिए लागू नहीं होगा।

(2) संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से

आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में प्रावेदन करें, अनुमोदन की अवधि बढ़ाने के सम्बन्ध में किए प्रावेदन-पत्र की 6 प्रतियां सचिव वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[सं. 709 फा. सं. डी. जी./मा. कर (छूट)/एम-140/कल. 35/(1) (iii)/90-91]

ए. के. विश्वास, उपनिदेशक  
Calcutta, the 31st August, 1992

#### INCOME-TAX

S.O. 945.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions:

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

#### NAME OF THE ORGANISATION

Vipassana Research Institute,  
Green House,  
Green Street,  
Fort,  
Bombay-400023.

This Notification is effective for the period from 1-4-92 to 31-3-94.

#### Notes:

1. Condition (i) above will not apply to organisations categorised as associations.
2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 709/F. No. DG/IT(E)/M-140/35(1)(iii)/90-91]  
A. K. BISWAS, Dy. Director

कलकत्ता, 31 अगस्त, 1992

आयकर

फा. आ. 946.—यंत्रणाधारण की सूचना के लिए एतद्वारा अब अधिसूचना जारी किया जाता है कि निम्नलिखित संगठन को आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के तहत आयकर नियम, 1963 के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों संस्थापन पर के शर्तों अनुमोदित किया गया है।

- (1) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त धन के लिये एक अलग लेखा रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक-वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिये प्रत्येक वर्ष की 31 मई तक सचिव वैज्ञानिक व

औद्योगिक अनुसंधान विभाग, "औद्योगिक भवन न्यू मेहरोली रोड, न्यू नई दिल्ली-110016 को भेजेगा।

- (1) यह प्रत्येक वर्ष की 31 अक्टूबर तक लेखा परीक्षित वार्षिक लेखों की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक अनुसंधान और (ग) आयकर अनुसंधान/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिस्क् क्रिया-कलाप सम्बन्धित छूट के तहत में लेखा परीक्षा आय व्यय क्रिया को भी प्रस्तुत करेगा।

#### संगठन का नाम

ई सिल्क एंड आर्ट सिल्क मिल्स एसोसिएशन,  
ससमिरा, ससमिरा मार्ग,  
वर्ली, बम्बई-400025

यह अधिसूचना दिनांक 1-4-92 से 31-3-93 तक की अवधि के लिए प्रभावी है।

टिप्पण. 1. उपर्युक्त शर्तें (1) 'स' जैसा प्रवर्ग के लिए लागू रहेंगे। शेष।

संगठन को गुलाब बिता जाता है कि अनुमोदन की अवधि बढ़ाने के लिए आयकर अनुसंधान/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट) कारगरता को तीन प्रतियों में प्रावेदन करें, अनुमोदन की अवधि बढ़ाने के सम्बन्ध में किए प्रावेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[सं. 710 फा. सं. डी. जी./आयकर (छूट)/एम-129/कल/35/(1) (ii) 90—91]

ए. के. विश्वास, उपनिदेशक

Calcutta, the 31st August, 1992

#### INCOME-TAX

S.O. 946.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions:

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year, and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

#### NAME OF THE ORGANISATION

The Silk and Art Silk Mills Research Association, Sasmira, Sasmira Marg, Worli, Bombay-400025.

This Notification is effective for the period from 1-4-92 to 31-3-93.

#### Notes:

1. Condition (i) above will not apply to organisations categorised as associations.



2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 710/F. No. DG/IT(E)/M-129/35(1)(ii)90-91]  
A. K. BISWAS, Dy. Director

कलकत्ता 31 अगस्त, 1992

आयकर

का.आ. 947.—सर्वसाधारण की सूचना के लिए एतद्वारा यह अधिसूचना जारी किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के तहत, आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर 'संघ' प्रवर्ग के अधीन अनुमोदित किया गया है।

- (1) संगठन वैज्ञानिक अनुसंधान के लिये प्राप्त करने के लिये एक अलग लेखा रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिये, प्रत्येक वर्ष की 31 मई तक, सचिव वैज्ञानिक व औद्योगिक अनुसंधान विभाग, 'औद्योगिक भवन', ग्वा. महारोली रोड, नई दिल्ली-110016 को भेजेगा।
- (3) यह प्रत्येक वर्ष की 31 अक्टूबर तक लेखा परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव वैज्ञानिक व औद्योगिक आयुक्त और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35 (1) में की गई रिमार्क प्रत्यक्षमाप सम्बन्धित छूट के बारे में लेखा परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम

अगनिट रिमार्क सेक्टर,

7, वुड स्ट्रीट,

कलकत्ता-700016

यह अधिसूचना दिनांक 1-4-91 से 31-3-92 तक की अवधि के लिए प्रभावी है।

टिप्पणी:—1. उपर्युक्त (1) "संघ" जैसा प्रवर्ग के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के सम्बन्ध में किन्हीं आवेदन पत्र की 6 प्रतियाँ सचिव वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[सं. 711/फ. नं. डी. जी. कर (छूट)/रम्ब्यू. पी.-24/कल/35/  
(1)(ii)/90-91]

ए. के. बिसवास, उपनिदेशक

Calcutta, the 31st August, 1992

INCOME TAX

S.O. 947.—It is hereby notified for general information that the organisation mentioned below has been 1090 GT'93—

approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "Association" subject to the following conditions:

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited annual accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

NAME OF THE ORGANISATION

Organon Research Centre,

7, Wood Street,

Calcutta-700016.

This Notification is effective for the period from 1-4-91 to 31-3-92.

NOTES:

1. Condition (i) above will not apply to organisations categorised as associations.
2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

No. 711/F. No. DG/IT(E)/WR-24/35(1)(ii)90-91]  
A. K. BISWAS, Dy. Director

कलकत्ता, 31 अगस्त, 1992

आयकर

का. आ. 948.—सर्वसाधारण की सूचना के लिए एतद्वारा यह अधिसूचना जारी किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के तहत आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर 'संस्थान' प्रवर्ग के अधीन अनुमोदित किया गया है।

- (1) संगठन वैज्ञानिक अनुसंधान के लिये प्राप्त धन के लिए एक अलग लेखा रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिये, प्रत्येक वर्ष की 31 मई तक, सचिव वैज्ञानिक व औद्योगिक अनुसंधान विभाग औद्योगिक भवन, ग्वा. महारोली रोड, नई दिल्ली 110016 को भेजेगा।

- (3) यह प्रत्येक वर्ष की 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखों की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव वैज्ञानिक व औद्योगिक आयुक्त और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में

उक्त संगठन पत्रा है और आयकर अधिनियम, 1961 की धारा 35 (1) में की गई रिचर्स क्रियाकलाप सम्बन्धी छूट के बारे में लेखा परीक्षित आय-व्यय हिसाब की भी प्रस्तुत करेगा।

संगठन का नाम

इंस्टिट्यूट फॉर डिजाइन ऑफ इलेक्ट्रिकल

मेजरिंग इन्स्ट्रुमेंट्स स्वतन्त्रियावर टोपे मार्ग  
पूना शहरी, सिमान पो. भा., बम्बई 400022

यह अधिसूचना दिनांक 1-4-92 से 31-3-95 तक की अवधि के लिए प्रभावी है।

टिप्पणी:—1. उपर्युक्त शर्तें (1) संघ जैसा प्रवर्ग के लिए लागू नहीं होगी।

संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट) कलकत्ता की तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन पत्र की 6 प्रतियां सचिव वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[सं. 712 (फा. सं. डी. जं./आ कर (छूट)/एम 83/कल/35/  
(1) (ii) 90—91)]

ए. के. विश्वान, उपनिदेशक

Calcutta, the 31st August, 1992

#### INCOME TAX

S.O. 948.—It is hereby notified for general information mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions:

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, "Technology Bhawan", New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of the Income-tax Act, 1961.

#### NAME OF THE ORGANISATION

Institute for Design of Electrical Measuring Instruments,  
Swatantriyaveer Tope Marg,  
Chunabhatti,  
Sion P.O.  
Bombay-400022

This Notification is effective for the period from 1-4-92 to 31-3-95.

#### NOTES :

1. Condition (i) above will not apply to organisations categorised as associations.
2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions)

having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 712/F. No. DG/IT(E)/M-83-35(1)(ii)/90-91]  
A. K. BISWAS, Dy Director

कलकत्ता 31 अगस्त, 1992

आयकर

फा. भा. 949.—सर्वसाधारण की सूचना के लिये एतद्वारा यह अधिसूचना जारी किया जाता है कि निम्नलिखित संगठन की, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिये आयकर नियम, 1962 के नियम 6 के अंतर्गत विज्ञान प्रविधारी द्वारा निम्नलिखित शर्तों पर संस्थान प्रवर्ग के अंतर्गत अनुमोदित किया गया है।

- (1) संगठन वैज्ञानिक अनुसंधान के लिये प्राप्त धन के लिये एक धरम लेखा रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिये प्रत्येक वर्ष की 31 मई तक सचिव वैज्ञानिक व औद्योगिक अनुसंधान विभाग, "औद्योगिक भवन" न्यू मेहरौली रोड, नई दिल्ली-110016 को भेजेगा।
- (3) यह प्रत्येक वर्ष की 31 अक्टूबर तक लेखा-परीक्षा वार्षिक लेखों की प्रति (क) आयकर महानिदेशक (छूट) (ख) सचिव, वैज्ञानिक व औद्योगिक आयुक्त, और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35 (1) में दी गई रिचर्स क्रिया कलाप सम्बन्धी छूट के बारे में लेखा परीक्षित आय-व्यय हिसाब की भी प्रस्तुत करेगा।

संगठन का नाम

नैशनल काउंसिल ऑफ माइनिंग इंजीनियरिंग

19-1 गुरुदत्त रोड,

कलकत्ता-700019

यह अधिसूचना दिनांक 1-4-92 से 31-3-95 तक की अवधि के लिए प्रभावी है।

टिप्पणी:—1. उपर्युक्त शर्तें (1) संघ जैसा प्रवर्ग के लिए लागू नहीं होगी।

संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट) कलकत्ता की तीन प्रतियों में आवेदन करें। अनुमोदन की अवधि बढ़ाने के संबंध में किए आवेदन पत्र की 6 प्रतियां सचिव वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[सं. 711 (फा. सं. डी. जं./आ कर (छूट)/बम्बू व-35 कल/35/(1)(ii)/90—91)]

ए. के. विश्वान, उपनिदेशक

Calcutta, the 31st August, 1992

#### INCOME TAX

S.O. 949.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions:

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of

Scientific & Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and

- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961

#### NAME OF THE ORGANISATION

National Council of Science Museum  
19-A, Gurusaday Road,  
Calcutta-760019.

This Notification is effective for the period from 1-4-92 to 31-3-93.

#### NOTES :

- Condition (i) above will not apply to organisations categorised as associations.
- The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No 715/F. No. DG/IT(E)WR-35/35(1)(ii)90-91]

A. K. BISWAS, Dy. Secy.

कलकत्ता, 31 अगस्त, 1992

#### आयकर

का.आ. 950 :--सर्वसाधारण की सूचना के लिये एतद्वारा यह अधिसूचना जारी की जाती है कि निम्नलिखित संगठन को, आयकर अधिनियम 1961 की धारा 35 की उपधारा (i) के खण्ड (ii) के लिये, आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संस्थान" प्रवर्ग के अधीन अनुमोदित किया गया है।

- संगठन वैज्ञानिक अनुसंधान के लिये प्राप्त धन के लिये एक अलग लेखा रखेगा।
- यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिये प्रत्येक वर्ष की 31 मई तक, सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, 'औद्योगिक भवन', न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा।
- यह प्रत्येक वर्ष की 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखों की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक आयुक्त और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35 (i) में की गई विवेक विधा-कताप संशोधित छूट के बारे में लेखा-परीक्षित आय-व्यय हिमाल को भी प्रस्तुत करेगा।

#### संगठन का नाम

संगीत महाभारती  
प्लॉट नं.-ए 6, 10वां रोड,  
जुहु स्कीम, विले पार्ले (उत्तर)  
बम्बई-400049.

यह अधिसूचना दिनांक 1-4-91 से 31-3-92 तक की अवधि के लिये प्रभावी है।

टिप्पणी : 1. उपर्युक्त शर्तें (1) 'संग' प्रवर्ग के लिए लागू नहीं होती।

2. संगठन को सुझाव दिया जाता है कि वे अनुसंधान की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता की सलाह प्रतियों में अवगत करें, आयुक्तों की अवधि बढ़ाने के संबंध में लिए आवश्यक है कि वे प्रतिमा सचिव, मंत्रालय और आर्थिक अनुसंधान विभाग को प्रस्तुत करेगा है।

[नं. 714 (फा.नं. डी.जी./आ.कर (छूट)/एम-23/35(1)(ii)90-91]

ए. के. बिस्वास, उपनिदेशक

Calcutta, the 31st August, 1992

#### INCOME TAX

S.O. 950.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purpose of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions:

- The organisation will maintain separate books of accounts for its research activities;
- It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

#### NAME OF THE ORGANISATION

Sangit Mahabharati  
Plot No. A/6, 10th Road,  
Juhu Scheme,  
Vile Parle (W),  
Bombay-400049.

This Notification is effective for the period from 1-4-91 to 31-3-92.

#### NOTES :

- Condition (i) above will not apply to organisations categorised as associations.
- The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 714/F. N. DG/IT(E)/M-23/35(1)(iii)90-91]

A. K. BISWAS, Dy. Director

कलकत्ता, 31 अगस्त, 1992

#### आयकर

का. आ. 951 :--सर्वसाधारण की सूचना के लिये एतद्वारा यह अधिसूचना जारी की जाती है कि निम्नलिखित संगठन को आयकर अधिनियम 1961 की धारा 35 की उपधारा (i) के खण्ड (ii) के लिये, आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर "संग" प्रवर्ग के अधीन अनुमोदित किया गया है।

- संगठन वैज्ञानिक अनुसंधान के लिये प्राप्त धन के लिये एक अलग लेखा रखेगा।

- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकाव्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिये, प्रत्येक वर्ष को 31 मई तक सचिव वैज्ञानिक व औद्योगिक अनुसंधान विभाग, "औद्योगिक भवन", न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा।
- (2) यह प्रत्येक वर्ष को 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखों की प्रति (क) आयकर महानिदेशक (छूट) (ख) सचिव वैज्ञानिक व औद्योगिक आयुक्त और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(i) में दी गई रिसर्च क्लेम-कलाप संबंधित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

#### संगठन का नाम

अलकेमिक रिसर्च सेंटर,

पो. बा. नं. 155, थाने बेलपुर, रोड, थाने-400601

बम्बई-38.

यह अधिसूचना दिनांक 1-4-92 से 31-3-94 तक की अवधि के लिए प्रभावी है।

टिप्पणी: 1. उपर्युक्त शर्त (1) 'संघ' जैसा प्रवर्ग के लिए लागू नहीं होगी।

2. संगठन को मुखाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के सम्बन्ध में किए आवेदन-पत्र को 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करता है।

[स. 715/फा.सं. डी.जी./आ. कर (छूट)/एन-88/कल./35/(1)  
(ii) 90-91]

ए.के. बिश्वास, उपनिदेशक

Calcutta, the 31st August, 1992

#### INCOME TAX

S.O. 951.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purpose of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "Association" subject to the following conditions:

- The organisation will maintain separate books of accounts for its research activities;
- It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, "Technology Bhawan", New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

#### NAME OF THE ORGANISATION

Alchemic Research Centre,

P.O. Box No. 155, Thane Belapur Road,  
Thane-400601, Bombay-38.

The Notification is effective for the period from 1-4-92 to 31-3-92

#### NOTES :

- Condition (i) above will not apply to organisations categorised as associations.

- The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No.71 F. No. DG/IT(E)/M-88/Cal/35(1)(ii)/90-91]  
A. K. BISWAS, Dy. Director

कलकत्ता, 4 सितम्बर, 1992

#### आयकर

का.आ. 952.—सर्वसाधारण की सूचना के लिये एतद्वारा यह अधिसूचना जारी की जाती है कि निम्नलिखित संगठन को, आयकर अधिनियम 1961 की धारा 35 की उपधारा (1) के खण्ड (iii) के लिये, आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारों द्वारा निम्नलिखित शर्तों पर मंजूरा प्रवर्ग के अर्धीन अनुमोदित किया गया है।

- संगठन वैज्ञानिक अनुसंधान के लिये प्राप्त धन के लिये एक धन लेखा रखेगा।
- यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकाव्यों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिये, प्रत्येक वर्ष को 31 मई तक, सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, 'औद्योगिक भवन', न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा।
- यह प्रत्येक वर्ष को 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखों की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक आयुक्त और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35 (i) में दी गई रिसर्च क्लेम-कलाप संबंधित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

#### संगठन का नाम

नैशनल इन्स्टीट्यूट ऑफ फेशन टेक्नोलॉजी,  
आई.जे.आई. स्टैडियम, ईस्ट प्लाजा, प्रथम गेट,  
नई दिल्ली-110005

यह अधिसूचना दिनांक 1-4-92 से 31-3-94 तक की अवधि के लिए प्रभावी है।

टिप्पणी: 1. उपर्युक्त शर्त (i) 'संघ' जैसा प्रवर्ग के लिए लागू नहीं होगी।

2. संगठन को मुखाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के सम्बन्ध में किए आवेदन-पत्र को 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करता है।

[स. 716 (फा.सं. डी.जी./आ. कर (छूट)/एन.जी. 71/कल./35/ (I)  
(iii)/90-91]

ए.के. बिश्वास, उपनिदेशक

Calcutta, the 4th September, 1992

#### INCOME TAX

S.O. 952.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under, Rule 6 of the

Income-tax Rules for the purposes of clause (iii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions:

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

#### NAME OF THE ORGANISATION

National Institute of Fashion Technology  
I.G.I. Stadium, East Plaza, 1st Gate  
New Delhi-110002.

This Notification is effective for the period from 1-4-92 to 31-3-93.

#### NOTES :

1. Condition (i) above will not apply to organisations categorised as associations.
2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary Department of Scientific & Industrial Research.

[No. 716/F. No. DG/IT(E)/ND-71/35(1)(iii)/90-91]

A. K. BISWAS, Dy Director

कलकत्ता, 10 सितम्बर, 1992

आयकर

का.आ 953:—सर्वसाधारण की सूचना के लिये एनडू द्वारा यह अधिसूचना जारी किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम 1961 की धारा 35 की उपधारा (i) के खण्ड (ii) के लिये, आयकर नियम, 1962 के नियम 6 के प्रतीत विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर 'संस्थान' प्रवर्ग के अर्हित अनुमोदित किया गया है।

- (1) संगठन वैज्ञानिक अनुसंधान के लिये प्राप्त धन के लिये एक अलग लेखा रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिये, प्रत्येक वर्ष की 31 मई तक, सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, 'औद्योगिक भवन', न्यू मेहरौली रोड, नई दिल्ली-110016 को भेजेगा।
- (3) यह प्रत्येक वर्ष की 31 अक्टूबर तक लेखा-परिक्षित वार्षिक लेखों की प्रतियाँ (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक आयुक्त और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35 (1) में दी गई

शर्तों क्रियाकलाप संबंधित छूट के बारे में निम्नलिखित आयकर विभाग को भेजेंगे।

संगठन का नाम

मुल्जिभाई पटेल सोसाइटी फॉर रिसर्च इन नेफ्रो-यूरोलॉजी,  
डॉ. विरेन्द्र देसल रोड,  
नदियाद-370001,  
गुजरात।

यह अधिसूचना दिनांक 1-4-1992 से 31-3-1993 तक की अवधि के लिए प्रभाव में है।

टिप्पणी: 1. उपर्युक्त शर्तें (1) 'संघ' प्रवर्ग के लिए लागू नहीं होंगी।

संगठन को सूचित किया जाता है कि वे अनुसंधान का प्रबंध बढ़ाने के लिए आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है या राज्य से आयकर महानिदेशक (छूट), आयकरा को तीन प्रतियाँ में आवेदन करें अनुसंधान का प्रबंध बढ़ाने के संबंध में किए आवेदन पत्र को 6 प्रतियाँ सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग का प्रस्तुत करना है।

[स. 717/का.सू.डॉ.जा./पा. कर (छूट)/जं-10/अ.ज./35/(i)  
(ii)/90-91]

ए.के. बिस्वास, उपनिदेशक

Calcutta, the 10th September, 1992

#### INCOME TAX

S.O. 953.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purpose of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "Association" subject to the following conditions:

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

#### NAME OF THE ORGANISATION

Muljibhai Patel Society for Research in  
Nephro-Urology,  
Dr. Virendra Desai Road,  
Nadiad-370001,  
Gujarat.

This Notification is effective for the period from 1-4-92 to 31-3-1993.

## NOTES :

1. Condition (i) above will not apply to organisations categorised as associations.
2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 717/F. No. DG/IT(E)/G-10/35(1)(ii)[90-91]

A. K. BISWAS, Dy Director

कलकत्ता, 10 सितम्बर, 1992

आयकर

का.आ. 954 :—संवर्णाधारण की सूचना के लिये एतद्वारा यह अधिसूचना जारी किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम 1961 की धारा 35 की उपधारा (i) के खण्ड (ii) के लिये आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर 'नव' प्रवर्ग के अधीन अनुमोदित किया गया है।

- (1) संगठन वैज्ञानिक अनुसंधान के लिये प्राप्त धन के लिये एक अलग लेखा रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों के लिये एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिये, प्रत्येक वर्ष की 31 मई तक, सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, 'औद्योगिक भवन', न्यू मेहरौली रोड, नई दिल्ली-110016 को भेजेगा।
- (3) यह प्रत्येक वर्ष की 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखों की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक अनुसंधान और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35 (1) में दी ग र्सिद्ध क्रियाकलाप संबंधित छूट के बारे में लेखा-परीक्षित आय वय्य विवरण को भी प्रस्तुत करेगा।

संगठन का नाम

मोनाबदी कॉमिनिस्ट मेडिकल रिसर्च ट्रस्ट वैनेजसैंट रिसर्च  
लाय कोटी स्कैम.  
जापुर-302015

यह अधिसूचना दिनांक 1-4-1992 से 31-3-1993 तक की अवधि के लिए प्रभावी है।

टिप्पणी: 1. उपर्युक्त शर्त (i) 'नव' जमा प्रवर्ग के लिए लागू नहीं होगा।

2. संगठन का चुनाव दिनांक 1-4-1992 से 31-3-1993 तक की अवधि के लिए आयकर आयुक्त/आयकर महानिदेशक (छूट) के क्षेत्राधिकार में साठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों आवेदन करें, अनुमोदन की अवधि बढ़ाने के सम्बन्ध में कि, आवेदनपत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करता है।

[No. 717/F. No. DG/IT(E)/G-10/35(1)(ii)[90-91]

कलकत्ता, 10 सितम्बर, 1992

Calcutta, the 10th September, 1992

## INCOME TAX

S.O. 954.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "association" subject to the following conditions :

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act 1961.

## NAME OF THE ORGANISATION

Society for Indian Institute of  
Health Management Research,  
C-105, Lal Kothi Scheme,  
Jaipur-302015.

This Notification is effective for the period from 1-4-1992 to 31-3-1993.

## NOTES :

1. Condition (i) above will not apply to organisations categorised as associations.
2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 718/F. No. DG/IT(E)/R-4/35(1)(ii)[90-91]

A. K. BISWAS, Dy. Director

कलकत्ता 10 सितम्बर, 1992

आयकर

का.आ. 955 :—संवर्णाधारण की सूचना के लिये एतद्वारा यह अधिसूचना जारी किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम 1961 की धारा 35 की उपधारा (1) के खण्ड (i) के लिए, आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर 'संस्थान' प्रवर्ग के अधीन अनुमोदित किया गया है।

- (1) संगठन वैज्ञानिक अनुसंधान के लिये प्राप्त धन के लिये एक अलग लेखा रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यों के लिये एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिये प्रत्येक वर्ष की 31 मई तक

सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, 'ओरियन्टल भवन', न्यू मेहरौली रोड, नई दिल्ली-110016 को भेजेगा।

- (3) यह प्रत्येक वर्ष की 31 अक्टूबर तक लेखा-परिक्षा वार्षिक लेखों की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक आयुक्त और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिमून्ड क्रियाकलाप सम्बंधित छूट के बारे में लेखा-परिक्षा आय-व्यय हिसाब की भी प्रस्तुत करेगा।

संगठन का नाम

वैज्ञानिक रिसर्च फाउंडेशन

एल-22, हाउस खास एंज

नई दिल्ली-110016

यह अधिसूचना दिनांक 1-4-91 से 31-3-93 तक की अवधि के लिए प्रभावी है।

टिप्पणी: 1. उपर्युक्त नई (1) 'नव' जैसा प्रवर्ग के लिए लागू नहीं होगा।

2. संगठन को मुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के सम्बन्ध में किन्हीं आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[सं. 719 (फा सं. डी जी /पा. कर (छूट)/एन.डी -58/कल./35/ (1) (iii)/90-91]

ए. के. विश्वास, उपनिदेशक

Calcutta, the 16th September, 1992

#### INCOME TAX

S.O. 955.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (iii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions:

- The organisation will maintain separate books of accounts for its research activities;
- It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, "Technology Bhawan", New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

#### NAME OF THE ORGANISATION

The Fiscal Research Foundation,  
L-22, Hauz Khas Road,  
New Delhi-110016.

This Notification is effective for the period from 1-4-91 to 31-3-93.

#### NOTES.

- Condition (a) above will not apply to organisations categorised as associations.
- The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 719/F. No. DG/IT(E)/ND-58/35(iii)/90-91]

A. K. BISWAS, Dy. Director

कलकत्ता 21 सितम्बर, 1992

आयकर

का. आ. 956—सर्वसाधारण का सूचना के लिए एन.डी.आर. यह अधिसूचना जारी किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम 1961 की धारा 35 की उपधारा (1) के खण्ड ( ) के तहत, आयकर नियम, 1962 के नियम 6 के अधिन विहित प्राधिकारि द्वारा निम्नलिखित शर्तों पर 'विश्वविद्यालय' प्रवर्ग के अधीन अनुमोदित किया गया है।

- (1) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त धन के लिये एक अलग लेखा रखेगा।

- (2) यह अपने वैज्ञानिक अनुसंधान सम्बंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिये, प्रत्येक वर्ष की 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, 'ओरियन्टल भवन', न्यू मेहरौली रोड, नई दिल्ली-110016 को भेजेगा।

- (3) यह प्रत्येक वर्ष की 31 अक्टूबर तक लेखा-परिक्षा वार्षिक लेखों की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक आयुक्त और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिमून्ड क्रियाकलाप सम्बंधित छूट के बारे में लेखा-परिक्षा आय-व्यय हिसाब की भी प्रस्तुत करेगा।

संगठन का नाम

वैज्ञानिक रिसर्च फाउंडेशन ऑफ टेक्नोलॉजी एण्ड साइंस

पिनानी-333031

राजस्थान

यह अधिसूचना दिनांक 1-4-89 से 31-3-93 तक की अवधि के लिए प्रभावी है।

टिप्पणी: 1. उपर्युक्त नई (1) 'नव' जैसा प्रवर्ग के लिए लागू नहीं होगा।

संगठन को मुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के सम्बन्ध में किन्हीं आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[सं. 720 (फा सं. डी जी /पा. कर (छूट)/आ. -7/कल./35/ (1) (ii)/90-91]

ए. के. विश्वास, उपनिदेशक

Calcutta, the 21st September, 1992

## INCOME-TAX

S.O. 956.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "University" subject to the following conditions :

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, "Technology Bhawan", New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

## NAME OF THE ORGANISATION

Birla Institute of Technology & Science,  
Pilani-333031,  
Rajasthan.

This Notification is effective for the period from 1-4-89 to 31-3-92.

## NOTES :

1. Condition (i) above will not apply to organisations categorised as associations.
2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemption) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 720/F. No. DG/IT(E)/R-7/35(1)(ii)/90-91]

A. K. BISWAS, Dy. Director

कलकत्ता, 28 सितम्बर, 1992

आयकर

का.आ. 957—नर्वसाधारण को सूचना के लिये सूचित किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिये, आयकर अधिनियम, 1962 के नियम 6 के अधीन प्रिलिप्त प्राधिकारी द्वारा निम्नलिखित शर्तों पर 'यूनिवर्सिटी' श्रेणी के शरीर प्राप्तिदित किया गया है।

- (1) संगठन वैज्ञानिक अनुसंधान के लिये प्राप्त धन के लिये एक अलग लेखा रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिये, प्रत्येक वर्ष को 31 मई तक, सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, "आयोजिक भवन" न्यू मेहरौली रोड, नई दिल्ली-110016 को भेजेगा।
- (3) यह प्रत्येक वर्ष को 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखों का प्रति (क) अधिकार महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक आयकर और (ग) आयकर आयुक्त आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिस्व त्रिमासिक सम्बन्धित छूट के बारे में

लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम

इंडियन काउंसिल ऑफ एग्रिकल्चरल रिसर्च,  
कृषि भवन,  
डॉ. राजेन्द्र प्रसाद रोड,  
नई दिल्ली-110001

यह अधिसूचना दिनांक 1-4-92 से 31-3-95 तक की अवधि लिए प्रभावी है।

टिप्पणी: 1. उपर्युक्त शर्त (1) 'यूनिवर्सिटी' जैसा प्रवर्ग के लिए लागू नहीं होगा।

2. संगठन को सूचाव दिया जाता है कि वे अनुसंधान की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुसंधान की अवधि बढ़ाने के सम्बन्ध में किए आवेदन-पत्र को 6 प्रतियाँ सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[नं. 721 (फा.म. डी.जी./आ.कर (छूट)/एन.पी. 78/कल / 35/(1)(ii)/90-91]

ए.के. बिस्वास, उपनिदेशक

Calcutta, the 28th September, 1992

## INCOME TAX

S.O. 957.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "Association" subject to the following conditions :

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, "Technology Bhawan", New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and

- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

## NAME OF THE ORGANISATION

Indian Council of Agricultural Research,  
Krishi Bhavan,  
Dr. Rajendra Prasad Road,  
New Delhi-110001.

This Notification is effective for the period from 1-4-92 to 31-3-95.

## NOTES :

1. Condition (i) above will not apply to organisations categorised as associations.
2. The organisation is advised to apply in triplicate and well in advance for further extension of the ap-



approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 721 F. No. DG/TF(E)ND 78/35(1)(ii) 90-91]

A. K. BISWAS, Dy. Director

कलकत्ता, 28 सितम्बर, 1992

#### आयकर

का.भा. 958 --सर्वसाधारण की सूचना के विधेयद्वारा यह अधिसूचना जारी की जाती है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के विधेय आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर 'संस्थान' प्रवर्ग के अधीन अनुमोदित किया गया है।

- (i) संगठन वैज्ञानिक अनुसंधान के विधेय प्राप्त धन के लिये एक व्यवस्था लेखा रखेगा।
- (ii) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिये, प्रत्येक वर्ष की 31 मई तक, सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, 'औद्योगिक भवन', न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा।
- (iii) यह प्रत्येक वर्ष की 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखों की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक आयुक्त और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिजर्व कियाकाय सम्बन्धित छूट के बारे में लेखा परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

#### संगठन का नाम

द बिर्ला इन्स्टिट्यूट ऑफ साइंटिफिक रिसर्च,  
78, सैयद अमीर अली एवेन्यू,  
कलकत्ता-700010

यह अधिसूचना दिनांक 1-4-1992 से 31-3-1993 तक की अवधि के लिए प्रभावी है।

टिप्पणी: उपर्युक्त शर्तें (i) 'संव' जैसा प्रवर्ग के लिए लागू नहीं होगा।

2. संगठन को सूचित किया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के सम्बन्ध में किंग आवेदन पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करनी हैं।

[य 7221/फा.सं.टी.सी./आ.कर(छूट)/इ.न्यू.सी.-11/बल./95 (1)(ii) 90-91]

ए.के. बिशवास उपनिदेशक

Calcutta, the 28th September, 1992

#### INCOME TAX

S.O. 958.—It is hereby notified for general information that the organisation mentioned below has been approved by 1000 GI/93- 4

the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions:

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

#### NAME OF THE ORGANISATION

The Birla Institute of Scientific Research,  
78, Syed Amir Ali Avenue,  
Calcutta-700010.

This Notification is effective for the period from 1-4-1992 to 31-3-1993.

#### NOTES:

1. Condition (i) above will not apply to organisations categorised as associations.
2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 7221 F. No. DG/TF(E)/WB-11/Cal. 35(1)(ii) 90-91]  
A. K. BISWAS, Dy. Director

कलकत्ता, 30 सितम्बर, 1992

#### आयकर

का.भा. 959 --सर्वसाधारण की सूचना के लिए एतद्वारा यह अधिसूचना जारी की जाती है कि निम्नलिखित संगठन को, आयकर अधिनियम 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए, आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर 'संस्थान' प्रवर्ग के अधीन अनुमोदित किया गया है:

- (i) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त धन के लिए एक व्यवस्था लेखा रखेगा।
- (ii) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिये, प्रत्येक वर्ष की 31 मई तक, सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, 'औद्योगिक भवन', न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा।
- (iii) यह प्रत्येक वर्ष की 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखों की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक आयुक्त और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन

पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिमर्ब प्रिक्वाकताप सम्बन्धित छूट के बारे में लेखा-परीक्षित आय-व्यय हिमाय को भी प्रस्तुत करेगा।

संगठन का नाम

देन्दयाल कैंसर रिसर्च सेंटर,  
926, फर्गुसन कॉलेज रोड,  
पूणे-411004

यह अधिनूवना दिनांक 1-4-92 से 31-3-94 तक की अवधि के लिए प्रभावी है।

टिप्पणी: 1. उपर्युक्त शर्तें (1) 'संघ' जैसा प्रबन्ध के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुसंधान की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर मन्त्रालय (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुसंधान की अवधि बढ़ाने के सम्बन्ध में किए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[सं. 723/फा.सं. डी.जी./आयकर (छूट)/एम.-10/कल./35 (1)(ii)/90-91]

ए.के. विश्वास, उपनिदेशक

Calcutta, the 30th September, 1992

#### INCOME-TAX

S.O. 959.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions :

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific and Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

#### NAME OF THE ORGANISATION

Deendayal Cancer Research Centre,  
926, Fergusson College Road,  
Pune-411004.

This Notification is effective for the period from 1-4-1992 to 31-3-1994.

#### NOTES:

1. Condition (i) above will not apply to organisations categorized as associations.
2. The organisation is advised to apply in triplicate and well in advance for further-extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should

be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 723/F. No. DG/IT(E)/M-10/Cal/35(1)(ii)/90-91]  
A. K. BISWAS, Dy. Director

कलकत्ता, 19 अक्टूबर, 1992

आयकर

फा.आ. 960.—सर्वसाधारण की सूचना के लिए पुनर्द्वारा यह अधिनूवना जारी की जाती है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए, आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर 'विश्वविद्यालय' प्रबन्ध के अधीन अनुसंधानित किया गया है :

- (1) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त धन के लिए एक अलग लेखा रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए, प्रत्येक वर्ष की 31 मई तक, सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, 'औद्योगिक भवन', न्यू मेहरौली रोड, नई दिल्ली-110016 को भेजेगा।
- (3) यह प्रत्येक वर्ष की 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखों की प्रति (क) आयकर मन्त्रालय (छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक अनुसंधान और (ग) आयकर आयुक्त/आयकर मन्त्रालय (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिमर्ब प्रिक्वाकताप सम्बन्धित छूट के बारे में लेखा-परीक्षित आय-व्यय हिमाय को भी प्रस्तुत करेगा।

संगठन का नाम

इण्डियन इन्स्टिट्यूट ऑफ टेक्नोलॉजी,  
पवाई, बम्बई-400076

यह अधिनूवना दिनांक 1-4-92 से 31-3-94 तक की अवधि के लिए प्रभावी है।

टिप्पणी: 1. उपर्युक्त शर्तें (1) 'संघ' जैसा प्रबन्ध के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुसंधान की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर मन्त्रालय (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुसंधान की अवधि बढ़ाने के सम्बन्ध में किए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[सं. 725/फा.सं. डी.जी./आयकर (छूट)/एम.-121/कल./35 (1)(ii)/90-91]

ए.के. विश्वास, उपनिदेशक

Calcutta, the 19th October, 1992

#### INCOME-TAX

S.O. 960.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "University" subject to the following conditions :

- (i) The organisation will maintain separate book of accounts for its research activities;
- (ii) It will furnish the Annual Return of its scientific research activities to the Secretary, Department of Scientific and Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; and
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Sci-

entitled and Industrial Research (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

#### NAME OF THE ORGANISATION

Indian Institute of Technology,  
Powai, Bombay-400076.

This Notification is effective for the period from 1-4-92 to 31-3-95.

NOTES: 1. Condition (i) above will not apply to organisations categorised as associations.

2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 725 (F. No. DGT(E))M 12/Cal/35(1)(ii)90-91]  
A. K. BISWAS, Dy. Director

कलकत्ता, 19 अक्टूबर, 1992

आयकर

का आ 961—सर्वसाधारण की सूचना के लिये एतद्वारा यह अधिसूचना जारी की जाती है कि निम्नलिखित संघ को, आयकर अधिनियम 1961 की धारा 35 की उपधारा (1) के उपखण्ड (ii) के लिये, आयकर नियम 1961 के नियम 6 के अंतर्गत विहित प्राधिकारों द्वारा निम्नलिखित शर्तों पर संघ को प्रत्येक वर्ष के अंतर्गत अनुमोदित किया गया है।

- (1) संघ वैज्ञानिक अनुसंधान के लिये प्राप्त धन के लिये एक अलग लेखा रखेगा।
- (2) यह वैज्ञानिक अनुसंधान लक्ष्य कार्यक्रमों का एक वार्षिक विवरण प्रत्येक वित्त वर्ष के लिए प्रत्येक वर्ष की 31 मई तक, सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, औद्योगिक भवन, एन. मेहरौली रोड, नई दिल्ली-110016 को भेजेगा।
- (3) यह प्रत्येक वर्ष की 31 अक्टूबर तक लेखा-परिचित वार्षिक लेखों की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक अनुसंधान और (ग) आयकर प्रावक्त / आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में संघ संयोजन पड़ता है और आयकर अधिनियम, 1961 की धारा 35 (1) में दी गई रिगर्स शिवा कलाप सम्बन्धित छूट के बारे में लेखा परीक्षा आय-व्यय विवरण को भी प्रस्तुत करेगा।

संघ का नाम

सी. सी. श्रोफ रिसर्च इंस्टीट्यूट,  
903, अमल भवन,  
कस्तूरबा गॉर्ज मार्ग,  
नई दिल्ली-110001

यह अधिसूचना दिनांक 1-4-90 से 31-3-95 तक की अवधि के लिए प्रवर्तित है।

टिप्पणी:—1. उपयुक्त शर्तें (1) संघ जैना प्रयोग के लिए लागू नहीं होंगी।

2. संघ को सुझाव दिया जाता है कि वे अनुसंधान का अर्थात् खर्च के लिए आयकर प्रावक्त / आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संघ संयोजन पड़ता है के माध्यम से आयकर महानिदेशक (छूट) कलकत्ता को ज्ञात प्रतियों में प्रार्थना करें, अनुसंधान का अर्थात् खर्च के सम्बन्ध में लिए आबेदन पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[सं. 726 (फा. सं. डी. ज. / आ. कर (छूट) / एन. डी. 61 / कल / 35(1) (ii) 90-91]

ए. के. बिस्वास, उप निदेशक

Calcutta, the 19th October, 1992

#### INCOME TAX

S.O. 961.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "University" subject to the following conditions:

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its Scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year;
- (iii) It will submit to the (a) Director General of Income tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

#### NAME OF THE ORGANISATION

C. C. Shroff Research Institute, 903, Ansal Bhawan, Kasturba Gandhi Marg, New Delhi 110001.

This Notification is effective for the period from 1-4-92 to 31-3-95.

Notes: 1. Condition (1) above will not apply to organisations categorised as associations.

2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 726 (F. No. DGT(E))ND-61/Cal/35(1)(ii)90-91]  
A. K. BISWAS, Dy. Director

कलकत्ता, 19 अक्टूबर, 1992

आयकर

का आ. 962—सर्वसाधारण की सूचना के लिये एतद्वारा यह अधिसूचना जारी किया जाता है कि निम्नलिखित संघ को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के उपखण्ड (ii) के लिये, आयकर नियम, 1961 के नियम 6 के अंतर्गत विहित प्राधिकारों द्वारा निम्नलिखित शर्तों पर 'संघ' प्रवर्त के अंतर्गत अनुमोदित किया गया है।

- (1) संघ वैज्ञानिक अनुसंधान के लिये प्राप्त धन के लिये एक अलग लेखा रखेगा।

(2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिये, प्रत्येक वर्ष की 31 मई तक, सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, 'औद्योगिक भवन', न्यू मेहरौली रोड, नई दिल्ली-110016 को भेजेगा।

(3) यह प्रत्येक वर्ष की 31 अक्टूबर तक लेखा-परिशील वार्षिक लेखों की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक आयुक्त और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिजर्व क्लियरलाप सम्बन्धित छूट के बारे में लेखा-परिशील आय-व्यय हिसाब की भी प्रस्तुत करेगा।

संगठन का नाम

गणेश साइंसेटिक रिसर्च फाउंडेशन,  
64-65, नजफगढ़ रोड,  
नई दिल्ली-110015

यह अधिसूचना दिनांक 1-4-91 से 31-3-92 तक की अवधि के लिए प्रभावी है।

टिप्पणी: 1. उपर्युक्त शर्तें (1) 'संघ' जैसा प्रबर्ण के लिए लागू नहीं होंगी।

2. संगठन को सुझाव दिया जाता है कि वे अनुसंधान की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें। अनुसंधान की अवधि बढ़ाने के सम्बन्ध में किए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[सं. 727 (फा. सं. डी.ओ./आ. कर (छूट)/एन.डी. 13/कल./35/  
(1)(ii)/90-91]

ए. के. बिस्वास, उप निदेशक

Calcutta, the 19th October, 1992

#### INCOME TAX

S.O. 962.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "Association" subject to the following conditions :

- The organisation will maintain separate books of account for its research activities;
- It will furnish the Annual Return of its Scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; &
- It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

#### NAME OF THE ORGANISATION :

Ganesh Scientific Research Foundation, 64-65, Najafgarh Road, New Delhi-110015.

This Notification is effective for the period from 1-4-92 to 31-3-92.

Notes : 1. Condition (1) above will not apply to organisations categorised as associations.

2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific and Industrial Research.

[No. 727 (F. No. DG/IT(E)/ND-13/Cal/35(1)(ii)/90-91]

A. K. BISWAS, Dy. Director

कलकत्ता, 20 अक्टूबर, 1992

आयकर

क्र.सं. 962 :—संबंधाधारण को सूचना के लिये एवम्प्रा यह अधिसूचना जारी किया जाता है कि निम्नलिखित संगठन को आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिये, आयकर निदेश, 1962 के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर 'संस्थान' प्रबर्ण के अधीन अनुमोदित किया गया है।

(1) संगठन वैज्ञानिक अनुसंधान के लिये प्राप्त धन के लिये एक धनग लेखा रखेगा।

(2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिये, प्रत्येक वर्ष की 31 मई तक, सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, 'औद्योगिक भवन' न्यू मेहरौली रोड, नई दिल्ली-110 016 को भेजेगा।

(3) यह प्रत्येक वर्ष की 31 अक्टूबर तक लेखा-परिशील वार्षिक लेखों की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक आयुक्त और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिजर्व क्लियरलाप सम्बन्धित छूट के बारे में लेखा-परिशील आय-व्यय हिसाब की भी प्रस्तुत करेगा।

संगठन का नाम

विद्वत्त माय साइंसेटिक रिसर्च फाउंडेशन, 1 ग्रेट रोड,  
बेदादूर-360004 (भारत)

यह अधिसूचना दिनांक 1-4-92 से 31-3-92 तक की अवधि के लिए प्रभावी है।

टिप्पणी: 1. उपर्युक्त शर्तें (1) 'संघ' जैसा प्रबर्ण के लिए लागू नहीं होंगी।

2. संगठन को सुझाव दिया जाता है कि वे अनुसंधान की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुसंधान की अवधि बढ़ाने के सम्बन्ध में किए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[सं. 727 (फा. सं. डी.ओ./आ. कर (छूट)/कल. 13/कल./35/  
(1)(ii)/90-91)]

ए. के. बिस्वास, उप निदेशक,

Calcutta, the 20th October, 1992

संघटन का नाम

## INCOME TAX

S.O. 963.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions :

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its Scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; &
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

## NAME OF THE ORGANISATION :

Vittal Mallya Scientific Research Foundation, 1, Grant Road, Bangalore-560004. (India)

This Notification is effective for the period from 1-4-92 to 31-3-94.

Notes : 1. Condition (1) above will not apply to organisations categorised as associations.

2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 728 (F. No. DG/IT(E)/KT-1/Cal/35(1)(ii)/90-91]

A. K. BISWAS, Dy. Director

कलकत्ता, 20 अक्टूबर, 1992

आयकर

कां.प्र.सं. 964.—संबन्धधारण की सूचना के लिये एतद्वारा यह अधिसूचना जारी किया जाता है कि निम्नलिखित संघटन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिये, आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर 'विश्व प्रद्यालय प्रयोग के अधीन प्रयोग' के लिये स्वीकृत किया गया है।

(1) संघटन वैज्ञानिक अनुसंधान के लिये प्राप्त धन के लिये एक अलग लेखा रखेगा।

(2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकार्यवाही का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिये, प्रत्येक वर्ष की 31 मई तक, सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, 'औद्योगिक भवन' न्यू मेहरौली रोड, नई दिल्ली-110016 को भेजेगा।

(3) यह प्रत्येक वर्ष की 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर सहायदेशक (छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक आयुक्त और (ग) आयकर आयुक्त/आयकर सहायदेशक (छूट) जिनके क्षेत्राधिकार में उस संघटन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई निम्नलिखित शर्तों पर स्वीकृत कर के बारे में लेखा-परीक्षित प्रत्येक वर्ष की भा प्रस्तुत करेगा।

अधिकृत इन्स्टीट्यूट ऑफ साइन्सेस, बंगलूर-560 012

साइन्स इन्स्टीट्यूट पास्ट ऑफिस, बंगलूर-560 012

यह अधिसूचना दिनांक 1-4-92 से 31-3-93 तक की अवधि के लिए प्रभावी है।

टिप्पणी : 1. उपरोक्त अर्त (1) 'संघ' जैसा प्रयोग के लिए लागू नहीं होगा।

2. संघटन को सुझाव दिया जाता है कि वे अनुसंधान की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर सहायदेशक (छूट) जिनके क्षेत्राधिकार में संघटन पड़ता है के माध्यम से आयकर सहायदेशक (छूट), कलकत्ता को तीन प्रतियाँ में आवेदन करें, अनुसंधान की अवधि बढ़ाने के संबंध में किए आवेदन-पत्र की 6 प्रतियाँ सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग को प्रस्तुत करेगा।

[सं. 728 फा.नं. डी.जी./आ.कर (छूट)/के.टी-1/कल/35/ (1)(ii)/90-91]

ए. के. बिस्वास, उप निदेशक

Calcutta, the 20th October, 1992

## INCOME TAX

S.O. 964.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "University" subject to the following conditions :

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its Scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; &
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

## NAME OF THE ORGANISATION

Indian Institute of Sciences, Bangalore-560012. Science Institute Post Office, Bangalore-560012.

This Notification is effective for the period from 1-4-92 to 31-3-93.

Notes : 1. Condition (1) above will not apply to organisations categorised as associations.

2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 729 F. No. DG/IT(E)/KT-21/Cal/35(1)(iii)/90-91]

A. K. BISWAS, Dy. Director

कलकत्ता, 22 अक्टूबर 1992

## भागकर

कां० 965 :—सर्वसाधारण की सूचना के लिये एतद्वारा यह अधिसूचना जारी किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिये, आयकर नियम, 1962 के नियम 6 के प्रर्वत विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर 'संघ' प्रवर्ग के अधीन अनुमोदित किया गया है।

(1) संगठन वैज्ञानिक अनुसंधान के लिये प्राप्त धन के लिये एक अलग लेखा रखेगा।

(2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिये प्रत्येक वर्ष की 31 मई तक, सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, 'औद्योगिक भवन', न्यू मेहरौली रोड, नई दिल्ली-110 016 को भेजेगा।

(3) यह प्रत्येक वर्ष की 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक आयुक्त और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिमूव क्लेकलाप सम्बन्धित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

## संगठन का नाम

महाराष्ट्र मेडिकल रिसर्च सोसाइटी, 778, शिवाजी नगर, पुणे-411 004

यह अधिसूचना दिनांक 3-4-92 से 31-3-94 तक की अवधि के लिए प्रभावी है।

टिप्पणी 1. उपर्युक्त शर्तों (1) 'संघ' जैसा प्रवर्ग के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की, अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता का तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के लक्ष्य में लिए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[सं० 730 (फा. म. डी.सी.ह/आ. कर (छूट)/एम-154/कल०/3 (1) (ii)/90-91)]

ए.के. बिस्वास, उपनिदेशक

Calcutta, the 22nd October, 1992

## INCOME TAX

S.O. 965.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "Association" subject to the following conditions :

(i) The organisation will maintain separate books of accounts for its research activities;

(ii) It will furnish the Annual Return of its Scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year &

(iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

## NAME OF THE ORGANISATION :

Maharashtra Medical Research Society, 778 Shivaji Nagar, Pune-411004.

This Notification is effective for the period from 3-4-92 to 31-3-94.

Notes : 1. Condition (1) above will not apply to organisations categorised as associations.

2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 730 (F. No. DG/IT(E)/M-154/Cal/35(1)(ii)/90-91]

A. K. BISWAS, Dy. Director

कलकत्ता, 22 अक्टूबर 1992

## भागकर

कां० 966 :—सर्वसाधारण की सूचना के लिये एतद्वारा यह अधिसूचना जारी किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिये, आयकर नियम, 1962 के नियम 6 के प्रर्वत विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर 'संघ' प्रवर्ग के अधीन अनुमोदित किया गया है।

(1) संगठन वैज्ञानिक अनुसंधान के लिये प्राप्त धन के लिये एक अलग लेखा रखेगा।

(2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिये प्रत्येक वर्ष की 31 मई तक, सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, 'औद्योगिक भवन', न्यू मेहरौली रोड, नई दिल्ली-110 016 को भेजेगा।

(3) यह प्रत्येक वर्ष की 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखा की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक आयुक्त और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिमूव क्लेकलाप सम्बन्धित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

## संगठन का नाम

फाउन्डेशन फॉर एप्लाइड रिसर्च इन फेक्टर, डो-131, पबर्शोन इन्फेन्स, नई दिल्ली-110 017

यह अधिसूचना दिनांक 1-4-92 से 31-3-94 तक की अवधि के लिए प्रभावी है।

टिप्पणी 1. उपर्युक्त शर्तों (1) 'संघ' जैसा प्रवर्ग के लिए लागू नहीं होगा।

2. संगठन को सुझाव दिया जाता है कि वे अनुसंधान की शोध बहाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कटकता को तीन प्रतियों में आवेदन करें, अनुसंधान की शोध बहाने के सम्बंध में किए आवेदन-पत्र की 6 प्रतियां मन्त्रि, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करता है।

[सं० 731 (फा.सं. डी.जी./प्र. कर (छूट)/एन.डी/54/कन./35/ (1)(ii)/90-91]

ए.के. बिश्वास, उपनिदेशक

Calcutta, the 22nd October, 1992

### INCOME TAX

S.O. 966.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "Association" subject to the following conditions :

- The organisation will maintain separate books of accounts for its research activities,
- It will furnish the Annual Return of its Scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; &
- It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

### NAME OF THE ORGANISATION

Foundation for Applied Research in Cancer, D-131, Panchasheel Enclave, New Delhi-110017.

This Notification is effective for the period from 1-4-92 to 31-3-93.

Notes : 1. Condition (1) above will not apply to organisations categorised as associations.

2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions) Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 731(F. No. DG/IT(E)/ND-34/C&I/35(1)(ii)/90-91]

A. K. BISWAS, Dy. Director

कटकता 22 अक्टूबर 1992

आयकर

कां० सं० 967—सर्वसाधारण की सूचना के निम्न एतद्वारा यह अधिसूचना जारी किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम 1961 की प्रांग 35 की उपधारा (1) के खण्ड (ii) के

अधीन, आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर 'विवरविधान' शर्तों के अधीन अनुमोदित किया गया है।

(1) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त धन के लिये एक अलग लेखा रखेगा।

(2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यसूचियों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिये, प्रत्येक वर्ष की 31 मई तक मन्त्रि, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, 'औद्योगिक भवन', न्यू मेहरोली रोड, नई दिल्ली-110 016 को भेजेगा।

(3) यह प्रत्येक वर्ष की 31 अक्टूबर तक लेखा-परीक्षण वार्षिक लेखों की प्रति (क) आयकर महानिदेशक (छूट), (ख) मन्त्रि, वैज्ञानिक व औद्योगिक आयुक्त और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम 1961 की प्रांग 35(1) में दो गई रिमर्क क्रिया-कलाप सम्प्रतिष्ठित छूट के बारे में लेखा परीक्षण आय-व्यय विवरण को भी प्रस्तुत करेगा।

संगठन का नाम

डॉ. एम.जी.प्रार, मेडिकल यूनिवर्सिटी, नं०-62, ई.के. सम्पन्न-गार्ड, बपारी, मद्रास-600 007।

यह अधिसूचना दिनांक 1-4-92 से 31-3-95 तक की शोध के लिए प्रभावी है।

टिप्पणी. 1. उपसूक्त शर्त (1) 'संघ' जैसा प्रश्नों के लिए लागू नहीं होगी।

- संगठन को सुझाव दिया जाता है कि वे अनुसंधान की शोध बहाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कटकता को तीन प्रतियों में आवेदन करें, अनुसंधान की शोध बहाने के सम्बंध में किए आवेदन-पत्र की 6 प्रतियां मन्त्रि, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करता है।

[सं० 732 (फा.सं.डी.जी./प्र. कर (छूट)/टी.एन-34/कन./35/ (1)(ii)/90-91]

ए.के. बिश्वास, उपनिदेशक

Calcutta, the 22nd October, 1992

### INCOME TAX

S.O. 967.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "University" subject to the following conditions :

- The organisation will maintain separate books of accounts for its research activities;
- It will furnish the Annual Return of its Scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year, &
- It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

## NAME OF THE ORGANISATION:

Dr. M. G. R. Medical University, No. 52, E. K. Sampath-Salai, Vepery, Madras-600097.

This Notification is effective for the period from 1-4-92 to 31-3-1995.

Notes : 1. Condition (1) above will not apply to organisations categorised as associations.

2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 732 (F. No. DG/IT(E)/IN-34/Cal[55(1)(ii)]90-91]

A. K. BISWAS, Dy. Director

काकला, अक्टूबर 22, 1992

आयकर

का०शा० 968 :--सर्वसाधारण की सूचना के लिए एतद्वारा यह अधिसूचना जारी किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए, आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर 'संस्थान' प्रवर्ग के अधीन अनुमोदन किया गया है।

(1) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त धन के लिए एक अलग लेखा रखेगा।

(2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिये, प्रत्येक वर्ष की 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, 'औद्योगिक भवन', न्यू मेहरोली रोड, नई दिल्ली-110 016 को भेजेगा।

(3) यह प्रत्येक वर्ष की 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखों की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक आयुक्त और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिमार्क क्लियरलाप सम्बन्धित छूट के बारे में लेखा-परीक्षित आय-आय डिनाब को भी प्रस्तुत करेगा।

संगठन का नाम

ई मद्रम इन्स्टिट्यूट ऑफ़ रिसर्च, 10, तालकोटरा रोड, नई दिल्ली-110001

यह अधिसूचना दिनांक 1-4-92 से 31-3-93 तक की अवधि के लिए प्रभावी है।

टिप्पणी : 1 उपर्युक्त शर्त (1) 'संघ' जैसा प्रवर्ग के लिए लागू नहीं होगी।

2. संगठन को सूचित दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), काकला को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के सम्बन्ध में किए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करता है।

[सं० 733 (फा०मं०सी०सी०/आ० कर. (छूट)/एन०सी०-47/कल०/35/ (1)(ii)/90-91]

ए०जे० निदेशक, उदनिदेशक

Calcutta, the 22nd October, 1992

INCOME TAX

S.O. 968.--It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions :

(i) The organisation will maintain separate books of accounts for its research activities;

(ii) It will furnish the Annual Return of its Scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; &

(iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

## NAME OF THE ORGANISATION :

The Mother's Institute of Research, 10, Talkatora Road, New Delhi-110001.

This Notification is effective for the period from 1-4-92 to 31-3-1993.

Notes : 1. Condition (1) above will not apply to organisations categorised as associations.

2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 733 (F. No. DG/IT(E)/ND-47/Cal[55(1)(ii)]90-91]

A. K. BISWAS, Dy. Director

काकला- 22 अक्टूबर, 1992

आयकर

का०शा० 969 :--सर्वसाधारण की सूचना के लिए एतद्वारा यह अधिसूचना जारी किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए, आयकर नियम 1962 के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर 'संस्थान' प्रवर्ग के अधीन अनुमोदन किया गया है।

(1) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त धन के लिये एक अलग लेखा रखेगा।

(2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिये, प्रत्येक वर्ष की 31 मई तक सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, 'औद्योगिक भवन', न्यू मेहरोली रोड, नई दिल्ली-110 016 को भेजेगा।

(3) यह प्रत्येक वर्ष की 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखों की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव वैज्ञानिक व औद्योगिक आयुक्त और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिमार्क क्लियरलाप सम्बन्धित छूट के बारे में लेखा-परीक्षित आय-आय डिनाब को भी प्रस्तुत करेगा।



निदेशक (छूट)। उनके क्षेत्राधिकार में उक्त सगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिमर्च क्रियाकलाप सम्बन्धित छूट के बारे में लेखा-परीक्षण आय-व्यय हिसाब को भी प्रस्तुत करेगा।

#### सगठन का नाम

ई इन्स्टिट्यूशन ऑफ इंजिनियर्स (इण्डिया) 8, गोखले रोड, कलकत्ता-20

यह अधिसूचना दिनांक 1-4-91 से 31-3-93 तक की अवधि के लिए प्रभावी है।

टिप्पणी: 1. उपर्युक्त शर्तें (1) 'संघ' जैसा प्रवर्ग के लिए लागू नहीं होगा।

2. सगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में सगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के सम्बन्ध में किए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[सं० 734 (फा० सं० जी० जी०/आ० कर (छूट)/इस्यू० बी-25/कल०/35/ (1)(ii)/90-91]

ए. के. विश्वास, उपनिदेशक

Calcutta, the 22nd October, 1992

#### INCOME TAX

S.O. 969.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions:

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its Scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; &
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

#### NAME OF THE ORGANISATION :

The Institution of Engineers (India) 8, Gokhale Road, Calcutta-20.

This Notification is effective for the period from 1-4-92 to 31-3-93.

Notes : 1. Condition (1) above will not apply to organisations categorised as associations.

2 The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 734 (F. No. DG/IT(E)/WB-25/Cal/35(1)(ii)/90-91]

A. K. BISWAS, Dy. Director

1000 GI/93—5

कलकत्ता, 28 अक्टूबर, 1992

#### आयकर

का. आ. 970.—पर्वसाधारण का सूचना के लिए एन० द्वारा यह अधिसूचना जारी किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए, आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर सम्मान प्रवर्ग के अधीन अनुमोदित किया गया है।

- (1) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त धन के लिए एक अलग लेखा रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए, प्रत्येक वर्ष की 31 मई तक, सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग "औद्योगिक भवन", न्यू मेहरौली रोड, नई दिल्ली-110016 को भेजेगा।
- (3) यह प्रत्येक वर्ष को 31 अक्टूबर तक लेखा-परीक्षण वार्षिक लेखों की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक आयुक्त और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिमर्च क्रिया-कलाप सम्बन्धित छूट के बारे में लेखा-परीक्षण आय-व्यय हिसाब को भी प्रस्तुत करेगा।

#### संगठन का नाम

हार्ड फाउंडेशन एंड रिमर्च इन्स्टिट्यूट,

सी०-11, दिलीबर ए. चार सी,

गुजरात कलेज के निकट

रूलवे क्रॉसिंग, एलांस बीज,

अहमदाबाद-380006

यह अधिसूचना दिनांक 1-4-92 से 31-3-94 तक की अवधि के लिए प्रभावी है।

टिप्पणी:—

1. उपर्युक्त शर्तें (1) 'संघ' जैसा प्रवर्ग के लिए लागू नहीं होगा।
2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करें, अनुमोदन की अवधि बढ़ाने के सम्बन्ध में किए आवेदन-पत्र की 6 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[सं० 735 (फा० सं० डी० जी०/आ० कर (छूट)/जी-24/कल०/35/ (1)(ii)/90-91]

ए. के. विश्वास, उपनिदेशक

Calcutta, the 28th October, 1992

#### INCOME TAX

S.O. 970.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35

of the Income-tax Act, 1961 under the category "Institution" subject to the following conditions :

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its Scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; &
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

#### NAME OF THE ORGANISATION :

Heart Foundation and Research Institute C-11, Silver ARC, Near Gujarat College Railway Crossing, Eli's Bridge, Ahmedabad-380076.

This Notification is effective for the period from 1-4-92 to 31-3-1993.

Notes : 1. Condition (1) above will not apply to organisations categorised as associations.

2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 735 (F. No. DG/IT(E)/G-24/Cal/35(1)(ii)/90-91]

A. K. BISWAS, Dy. Director

मलक्ता, 29 अक्तूबर, 1992

आयकर

फा. भा. 971.—सर्वसाधारण की सूचना के लिए एतद्वारा यह अधिसूचना जारी किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए, आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर संघ प्रवर्ग के अधीन अनुमोदन किया गया है।

- (1) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त धन के लिए एक अलग लेखा रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए, प्रत्येक वर्ष की 31 मई तक, सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, 'औद्योगिक भवन', न्यू मेहरौली रोड, नई दिल्ली-110016 को भेजेगा।
- (3) यह प्रत्येक वर्ष की 31 अक्टूबर तक लेखा परीक्षित वार्षिक लेखों की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक आयुक्त और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिसर्च क्रिया-कलाप सम्बन्धित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम

हेक्सामर एग्रिकल्चरल रिसर्च

एण्ड

डिवलपमेन्ट फाउंडेशन,

हेक्सामर हाउस, 28, सयानी रोड,

बम्बई-400025

यह अधिसूचना दिनांक 1-4-93 से 31-3-94 तक की अवधि के लिए प्रभावी है।

टिप्पणी:—

1. उपर्युक्त शर्त (1) 'संघ' जैसा प्रवर्ग के लिए लागू नहीं होगा।
2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में भेदन करें, अनुमोदन की अवधि बढ़ाने के सम्बन्ध में किए आवेदन-पत्र की 6 प्रतियाँ सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है।

[सं. 736/फा. सं. डी. जी./आ. कर (छूट)/एम-3/कल./35/ (1) (ii)/90-91]

ए. के. विश्वास, उपनिदेशक

Calcutta, the 29th October, 1992

#### INCOME TAX

S.O. 971.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "Association" subject to the following conditions :

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its Scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; &
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

#### NAME OF THE ORGANISATION :

Hexamar Agricultural Research and Development Foundation, Hexamar House, 28, Sayani Road, Bombay-400025.

This Notification is effective for the period from 1-4-1993 to 31-3-1994.

Notes : 1. Condition (1) above will not apply to organisations categorised as associations.

2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 736 (F. No. DG/IT(E)/M-3/Cal/35(1)(ii)/90-91]

A. K. BISWAS, Dy. Director

कलकत्ता, 29 अक्टूबर, 1992

आयकर

का. भा. 972.—सर्वसाधारण की सूचना के लिए एतद्वारा यह अधिसूचना जारी किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए, आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर 'संघ' प्रवर्ग के अधीन अनुमोदित किया गया है।

- (1) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त धन के लिए एक अलग लेखा रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए, प्रत्येक वर्ष को 31 मई तक, सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग, 'औद्योगिक भवन', न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा।
- (3) यह प्रत्येक वर्ष को 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखों की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक आयुक्त और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिमर्च क्रिया-कलाप सम्बन्धित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

संगठन का नाम

इण्डियन रजिस्टर आफ शिपिंग,  
72, मेकर टावर 'एफ' (7वीं मंजिल),  
बयाफे पैरेड, बम्बई-8

यह अधिसूचना दिनांक 1-4-92 से 31-3-93 तक की अवधि के लिए प्रभावी है।

टिप्पणी:—

1. उपर्युक्त शर्त (1) 'संघ' जैसा प्रवर्ग के लिए लागू नहीं होगा।
2. संगठन को सुझाव दिया जाता है कि वे अनुमोदन की अवधि बढ़ाने के लिए आयकर आयुक्त/आयकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करे, अनुमोदन की अवधि बढ़ाने के सम्बन्ध में किए आवेदन-पत्र को 1 प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करेगा है।

[सं. 737 (फा. सं. डी जी/आ. कर (छूट)/एम-2/कल./35/  
(1) (ii)/90-91)]

ए. के. बिश्वास, उपनिदेशक

Calcutta, the 29th October, 1992

## INCOME TAX

S.O. 972.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "Association" subject to the following conditions :

- (i) The organisation will maintain separate books of accounts for its research activities;

(ii) It will furnish the Annual Return of its Scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; &

(iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of the Income-tax Act, 1961.

## NAME OF THE ORGANISATION :

Indian Register of Shipping, 72, Maker Towers 'F' (7th floor), Cuffe Parade, Bombay-8.

This Notification is effective for the period from 1-4-92 to 31-3-93.

Notes : 1. Condition (1) above will not apply to organisations categorised as associations.

2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 737 (F. No. DG/IT(E)/M-2/Cal/35(1)/ii)90-91]

A. K. BISWAS, Dy. Director

कलकत्ता, 30 अक्टूबर, 1992

आयकर

का. भा. 973.—सर्वसाधारण की सूचना के लिए एतद्वारा यह अधिसूचना जारी किया जाता है कि निम्नलिखित संगठन को, आयकर अधिनियम 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) के लिए, आयकर नियम, 1962 के नियम 6 के अधीन विहित प्राधिकारी द्वारा निम्नलिखित शर्तों पर 'विविधविद्यालय' प्रवर्ग के अधीन अनुमोदित किया गया है।

- (1) संगठन वैज्ञानिक अनुसंधान के लिए प्राप्त धन के लिए एक अलग लेखा रखेगा।
- (2) यह अपने वैज्ञानिक अनुसंधान संबंधी कार्यकलापों का एक वार्षिक विवरण प्रत्येक वित्तीय वर्ष के लिए, प्रत्येक वर्ष को 31 मई तक, सचिव, वैज्ञानिक व औद्योगिक अनुसंधान विभाग 'औद्योगिक भवन', न्यू मेहरोली रोड, नई दिल्ली-110016 को भेजेगा।

- (3) यह प्रत्येक वर्ष को 31 अक्टूबर तक लेखा-परीक्षित वार्षिक लेखों की प्रति (क) आयकर महानिदेशक (छूट), (ख) सचिव, वैज्ञानिक व औद्योगिक आयुक्त और (ग) आयकर आयुक्त/आयकर महानिदेशक (छूट) जिनके क्षेत्राधिकार में उक्त संगठन पड़ता है और आयकर अधिनियम, 1961 की धारा 35(1) में दी गई रिमर्च क्रिया-कलाप सम्बन्धित छूट के बारे में लेखा-परीक्षित आय-व्यय हिसाब को भी प्रस्तुत करेगा।

## संगठन का नाम

बिरला इन्स्टिट्यूट आफ टेक्नोलॉजी,  
मेसरा-835215 (रांची)  
भारत ।

यह अधिसूचना दिनांक 1-4-92 से 31-3-93 तक की अवधि के लिए प्रभावी है ।

टिप्पणी—

1. उपर्युक्त शर्त (1) 'संघ' जैसा प्रयोग के लिए लागू नहीं होगा ।
2. संगठन को सूझा दिया जाता है कि वे अनुसंधान की अवधि बढ़ाने के लिए आयकर प्रायुक्त/प्रायकर निदेशक (छूट) जिनके क्षेत्राधिकार में संगठन पड़ता है के माध्यम से आयकर महानिदेशक (छूट), कलकत्ता को तीन प्रतियों में आवेदन करे, अनुसंधान की अवधि बढ़ाने के सम्बन्ध में किए आवेदन-पत्र की 6 प्रतियाँ मन्त्रि, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को प्रस्तुत करना है ।

[नं. 739 (फा. सं. डी. जी./आ. कर (छूट)/बी-1/कल./35/  
(1) (ii)/90-91]

ए. के. बिश्वास, उपनिदेशक

Calcutta, the 30th October, 1992

## INCOME TAX

S.O. 973.—It is hereby notified for general information that the organisation mentioned below has been approved by the Prescribed Authority under Rule 6 of the Income-tax Rules, for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 under the category "University" subject to the following conditions :

- (i) The organisation will maintain separate books of accounts for its research activities;
- (ii) It will furnish the Annual Return of its Scientific research activities to the Secretary, Department of Scientific & Industrial Research, 'Technology Bhawan', New Mehrauli Road, New Delhi-110016 for every financial year by 31st May of each year; &
- (iii) It will submit to the (a) Director General of Income-tax (Exemptions), (b) Secretary, Department of Scientific & Industrial Research, and (c) Commissioner of Income-tax/Director of Income-tax (Exemptions), having jurisdiction over the organisation, by the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income-tax Act, 1961.

## NAME OF THE ORGANISATION :

Birla Institute of Technology, Mesra-835215 (Ranchi)  
India.

This Notification is effective for the period from 1-4-92 to 31-3-92.

Notes : 1. Condition (1) above will not apply to organisations categorised as associations.

2. The organisation is advised to apply in triplicate and well in advance for further extension of the approval, to the Director General of Income-tax (Exemptions), Calcutta through the Commissioner of Income-tax/Director of Income-tax (Exemptions) having jurisdiction over the organisation. Six copies of the application for extension of approval should be sent directly to the Secretary, Department of Scientific & Industrial Research.

[No. 739 (F. No. DG/IT(E)/31/Call 45 1(ii)/90-91]

A. K. BISWAS, Dy. Director

वाणिज्य मंत्रालय

नई दिल्ली, 28 अप्रैल, 1993

का.आ. 974 -निर्यात (क्वालिटी नियंत्रण और निरीक्षण अधिनियम, 1963 (1963 का 22) की धारा 7 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, मेसर्स नेशनल एल्युमिनियम कंपनी लिमिटेड (भारत सरकार का उद्यम) दामन जोड़ी 763008, उड़ीसा में विनिर्मित कैल्सिड एल्यूमीना (एल्युमिनियम ओक्साइड शीर्षक के अंतर्गत) का निर्यात से पूर्व निरीक्षण करने के लिए मेसर्स नेशनल एल्युमिनियम कंपनी लिमिटेड को जिनका रजिस्ट्रीकृत कार्यालय ईडको टावर, घाटखो मंजिल, भुवनेश्वर -751007 उड़ीसा में है, 26 फरवरी, 1993 से तीन वर्ष की अवधि के लिए का.आ. 655 तारीख 17-3-90 की शर्तों के अधीन रहने हुए, अधिकरण के रूप में मान्यता देती है ।

[फाईल सं. 5/5/90 ई आई एण्ड ई पी]

कुमारी सुमा सुब्बान्णा, निदेशक

## MINISTRY OF COMMERCE

New Delhi, the 28th April, 1993

S.O. 974.—In exercise of the powers conferred by the section (1) of Section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby recognises M/s. National Aluminium Co. Ltd., having their registered office at IDCO Tower, 8th Floor, Bhubaneswar-751007 Orissa, as the Agency for a period of three years with effect from 26th February, 1993 for inspection of Calcined Alumina (under the heading of Aluminium Oxide) manufactured at M/s. National Aluminium Co. Ltd., (A Government of India Enterprise) Damanjodi-763008, Orissa prior to export subject to the conditions notified vide S.O. 655 dated 17-3-1990.

[F. No. 5/5/90-(EI&EP)]

KUM. SUMA SUBBANNA, Director

आदेश

नई दिल्ली, 3 मई, 1993

का.आ. 975.—भारत के निर्यात व्यापार के विकास के लिए, निर्यात से पूर्व मर्च की क्वालिटी नियंत्रण और निरीक्षण किए जाने के लिए कतिपय प्रस्ताव निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1964 के नियम 11 के उपनियम (2) की अपेक्षाानुसार भारत सरकार के वाणिज्य मंत्रालय के आदेश संख्या का.आ. 2405 तारीख 19 सितम्बर, 1992 के अधीन भारत के राजपत्र, भाग-2, खंड 3, उपखंड (ii) तारीख 1 सितम्बर, 1992 में प्रकाशित किए गए थे ।

और ऐसे सभी व्यक्तियों से, जिनकी उससे प्रभावित होने की संभावना थी, राजपत्र में उक्त आदेश के प्रकाशन की तारीख से पैंतानिस दिन की कालावधि के भीतर आक्षेप और सुझाव मांगे गए थे;

और उक्त राजपत्र की प्रतियाँ 14-10-92 को जनता को उपलब्ध करा दी गयी थी,

और उक्त प्रस्तावों के संबंध में जनता में प्राप्त आक्षेपों और सुझावों पर केन्द्रीय सरकार द्वारा विचार कर लिया गया है,

अतः, अब केन्द्रीय सरकार की नियति (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, नियति निरीक्षण परिषद में परामर्श करने के पश्चात् यह राय होने पर कि भारत के निर्यात व्यापार के विकास के लिए ऐसा करना आवश्यक तथा समीचीन है :

- (1) मिर्चों का निर्यात में पूर्व क्वालिटी नियंत्रण और निरीक्षण करने के लिए अधिसूचित करती है,
- (2) मिर्चों का निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1993 के अनुसार क्वालिटी नियंत्रण और निरीक्षण की किस्म को क्वालिटी नियंत्रण और निरीक्षण की उस किस्म के रूप में विनिर्दिष्ट करती है, जो निर्यात में पूर्व ऐसी मिर्चों को लागू होंगी :
- (3) निम्नलिखित को मान्यता देती है,—
  - (क) आयात करने वाले देशों के राष्ट्रीय मानक और निर्यात निरीक्षण परिषद द्वारा मान्यता प्राप्त अन्तर्राष्ट्रीय मानक,
  - (ख) विदेशी क्रेता और निर्यातकर्ता के बीच हुए करार के संविदात्मक विनिर्देश परन्तु यह तब जब कि ऐसे विनिर्देश इस आदेश की अनुसूची 1 में 5 (क से घ) में यथा उपवर्णित न्यूनतम विनिर्देशों से कम नहीं हैं।
  - (ग) मिर्च श्रेणीकरण और चिह्नीकरण नियम, 1962 के अधीन बनाए गए श्रेणी अभिधान जैसे कि इन नियमों की अनुसूची 1 में 5 (क से घ) में उपवर्णित किए गए हैं, परन्तु यह तब जब कि ऐसे विनिर्देश खण्ड (ख) के अनुरूप हैं, और
  - (घ) संविदात्मक विनिर्देशों के न होने पर इस आदेश से संलग्न अनुसूची में उपवर्णित न्यूनतम विनिर्देश परन्तु यह तब कि खण्ड (क), (ख), (ग) और (घ) में वर्णित विनिर्देश आयातकर्ता देश में प्रचुर खाद्य विशिष्टों, यदि कोई हैं, के भी अनुरूप हैं।

4. अन्तर्राष्ट्रीय व्यापार के क्रम में मिर्च के निर्यात को तब तक प्रतिषिद्ध करेगा जब तक कि ऐसे मिर्च के पैकेजों या आधानों पर केन्द्रीय सरकार द्वारा मान्यता प्राप्त चिह्न या मील यह उपदर्शित करते हुए न लगाई गयी हो कि यह इसको लागू मानक विनिर्देशों के अनुरूप है और उसके साथ भारत सरकार के कृषि विभाग सलाहकार या निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 के अधीन स्थापित निर्यात निरीक्षण अभिकरणों में से किसी के द्वारा जांच किया गया इस आशय का विवरण और श्रेणी प्रमाणपत्र न हो कि ऐसी मिर्च उपयुक्त मानक विनिर्देशों के अनुरूप हैं और निर्यात योग्य हैं।

5. इस आदेश की कोई भी धारा भावी क्रेताओं को भूमि, जल या वायु मार्ग द्वारा मिर्च के केवल पचास रुपए से अधिक मूल्य के वास्तविक तम्बूओं के निर्यात को लागू नहीं होगी।

6. इस आदेश में "मिर्च" से भारत में उत्पादित मिर्च (कैपसिकम एन्नम एल) अभिप्रेत है।

7. यह आदेश राजपत्र में प्रकाशन की तारीख को प्रवृत्त होगा।

#### अनुसूची I

वाणिज्यिक रूप से सफ़रम के रूप में ज्ञात मिर्च के श्रेणी अभिधान और क्वालिटी की परिभाषा

श्रेणी अभिधान	व्यापार नाम	रंग	विशेष लक्षण						साधारण लक्षण	
			संबाई	ठंडल के बिना फली भार के आधार पर प्रतिशत (अधिक- तम)	टूटी हुई मिर्च भार के आधार पर प्रति- शत (अधिक- तम)	बिखरे बीज भार के आधार पर प्रतिशत (अधिक- तम)	क्षतिग्रस्त और अप- वर्णित फली भार के आधार पर प्रतिशत (अधिक- तम)	विजातीय पदार्थ भार के आधार पर प्रतिशत (अधिक- तम)	तमी भार के आधार पर प्रति- शत (अधिक- तम)	
1	2	3	4	5	6	7	8	9	10	11
स. वि.	सफ़रम विशेष	चमकीला हल्का रंग लाल	5 से.मी. और उससे ऊपर	5	5	2	2	1	12	(क) मिर्च-कैपसिकम एन्नम एल जाति के सूखे पके फल होंगे।
सं. सा.	सफ़रम साधारण	चमकीला हल्का लाल	3 से.मी. से ऊपर और 5 से.मी. से कम	10	7	3	4	2	12	(ख) का आकार, लीखा-पन और बीज की मात्रा इतनी होगी जितनी उस किस्म के लिए प्रसामान्य है।

1	2	3	4	5	6	7	8	9	10	11
म धा.	समम प्रच्छी	कालेपन के साथ मंद लाल	3 सेमी से ऊपर और 5 सेमी से कम	15	10	5	6	3	12	(ग) फफूंदी, कीट हार की गयी क्षति से मुक्त और प्रच्छी अवस्था में होंगी तथा मानव उपभोग के लिए ठीक होगी।
अविनिश्चित (ग्रन एम)	समम	—	—	—	—	—	—	5	12	(घ) केवल एक मौसम की चारू वर्ष की फसल होगी और बाह्य रजक पदार्थों, तेल और अन्य हाविकारक पदार्थों से मुक्त होगी।

## स्पष्टीकरण :

अविनिश्चित : एक नियमित श्रेणी नहीं है। केता का उन विनिश्चित घरेआओं की पूर्ति करने के लिए है जो किसी श्रेणियों के अंतर्गत नहीं आती हैं। इसे केवल निर्यात श्रेणीकरण के लिए केता से किसी अविनिश्चित आवेश के विरुद्ध जिसमें क्वालिटी और अरोक्षित मात्रा वंशित होगी, अनुज्ञात किया जायगा।

लंबाई : फलियों की लंबाई की संयोजना फल की मोक से वृद्धि बिन्दु तक, जहां डठन जुड़ा है, की जाएगी। श्रेणीकरण में प्राक्समिक गलतियों के लिए उन फलियों के लिए, जो विनिश्चित लंबाई के अनुरूप नहीं हैं, 5 प्रतिशत तक सहायता सभी श्रेणियों में अनुज्ञात की जाएगी।

साबुत फलियां : साबुत फलियां वे हैं जो साबुत फलों की लंबाई के 75 प्रतिशत या उससे अधिक तक साबुत हैं।

टूटी फलियां : टूटी फलियां वे फलियां हैं जो आकार में ऐसे टुकड़ों में टूटी हुई हैं, जो साबुत फलों के अंतर्गत नहीं हैं।

बिखरे बीज : मिर्च की फलियों से निकले बीज, बिखरे बीज समझे जाएंगे।

उपवर्णित अतिप्रस्त फलियां : अतिप्रस्त फलियां वे फलियां हैं, जो सारतः अतिप्रस्त हैं और क्वालिटी को प्रभावित करती हैं। वे फलियां, जिनके 25 प्रतिशत या अधिक तक बाहरी भाग पर भूरे, काले, सफेद और अन्य रंगीन धब्बे हैं, उपवर्णित फलियां समझी जाएंगी।

विजातीय पदार्थ : सभी बाह्य पदार्थ जिनके अंतर्गत टोपी के टुकड़े और बिखरे डठन भी हैं, विजातीय पदार्थ माने जाएंगे।

ममी के लिए सहायता : वर्षा ऋतु के दौरान अर्थात् 1 जून से 30 सितम्बर, तक 1 प्रतिशत ममी की सहायता अनुज्ञात की जाएगी।

## अनुसूची-II

वाणिज्यिक रूप में "मुण्डू" के नाम से ज्ञात मिर्चों का श्रेणी प्रविधान और क्वालिटी की परिभाषा

श्रेणी प्रविधान	व्यापार नाम	लंबाई से.मी. में	रंग	विशेष लक्षण सहायता की अधिकतम सीमाएं						साधारण लक्षण
				अतिप्रस्त और उपवर्णित प्रतिशत	डंडी रहित बीज प्रतिशत	घाईला प्रतिशत	खुले बीज प्रतिशत	विजातीय पदार्थ प्रतिशत	टूटी हुई मिर्चें प्रतिशत	
1	2	3	4	5	6	7	8	9	10	11
म.एस.	मुण्डू विशेष	205 सेमी से अधिक	गहरा जमकता हुआ लाल	2.0	5.0	11.50	1.00	1.00	1.00	मिर्चें :— (क) मैक्सिमम एमएमएल जाति की शुष्कित पकी हुई होंगी। (ख) सामान्य किस्म के आकार की सोबावन और बीज अंतर्वस्तु बिखरे होंगे।

1	2	3	4	5	6	7	8	9	10	11
एम. जी.	मुख्य साधारण यथोक्त	यथोक्त	4.0	10.0	11.50	1.00	1.00	1.00	1.00	(ग) फफूंदी या कीटप्रस्त क्षति से मुक्त होगी और अच्छी अवस्था में तथा मानव उपभोग के लिए उपयुक्त होगी। (घ) चालू वर्ष की फसल होगी और बाह्य रंजक द्रव्य, तेल तथा अन्य हानिकारक पदार्थों से मुक्त होगी।

साक्षात् संबंधी अवधारणों का आधार : सभी अवधारणों और प्रतिशत को प्रतिनिधि नमूनों के कुल भार के आधार पर हिसाब में लिया जाएगा।

लंबाई : स्तम्भ 3 में विनिर्दिष्ट सह्यता यदृच्छ करने पर 20 फलों की औसत लंबाई पर आधारित होगी।

रंगहीन बीज कोष : फल का भाग उसके ऊपरी भाग से लेकर पूर्ण वृत्तक बिन्दु तक लिया जाएगा जहाँ फल का डंठल जुड़ा है।  
बीज कोष जिन पर भूरे, काले, सफेद रंग के और अन्य रंग के धब्बे होंगे, उन्हें अपवर्णित बीज कोष समझा जाएगा।

विजातीय पदार्थ : सभी बाह्य पदार्थों को जिनमें पुटक के टुकड़े और खुली हुई डंडिया सम्मिलित हैं विजातीय पदार्थ समझा जाएगा। प्राक्समिक त्रुटियों के लिए स्तम्भ 5 के अधीन 0.5 प्रतिशत की सह्यता और स्तम्भ 6 के अधीन 1.0 प्रतिशत की सह्यता दोनों श्रेणियों के लिए अनुज्ञेय होगी।

भारिता : त्रुटियों के लिए भारिता अंतर्वस्तु के लिए केवल 0.5 प्रतिशत की सह्यता अनुज्ञेय होगी और अधिकतम केवल 11.5 प्रतिशत तक अनुज्ञेय होगी।

### अनुसूची-III

आणिज्यिक रूप से रबि (पत्रिकीया पतली) के नाम से ज्ञात मिर्चों का श्रेणी अभिधान और क्वालिटी की परिभाषा

#### विशेष लक्षण

श्रेणी अभिधान	व्यापार नाम	लंबाई सें.मी. में	रंग	सह्यता की अधिकतम सीमाएं						साधारण लक्षण
				क्षतिग्रस्त और अपवर्णित फली प्रतिशत	डंठल रहित फली प्रतिशत	भारिता प्रतिशत	खुले बीज प्रतिशत	विजातीय पदार्थ प्रतिशत	टूटी हुई मिर्चें प्रतिशत	
1	2	3	4	5	6	7	8	9	10	11
आर. एम.	रबि विशेष	8 और इससे अधिक	समकदार लाल	1.0	2.0	11.50	1.0	1.0	5.0	मिर्चें— (क) कैल्सिकम एलम एल जाति के शुष्कित पके फल होंगे। (ख) इस का आकार तीखापन और बीज अंत वस्तु इतनी होगी, जितनी उस किस्म के लिए प्रसामान्य है।
आर. जी.	रबि साधारण	8 से कम और 6 से अधिक	यथोक्त	2.0	2.0	11.50	1.0	1.0	5.0	(ग) फफूंदी या कीटप्रस्त क्षति से मुक्त होगी और अच्छी अवस्था में तथा मानव उपभोग के लिए उपयुक्त होगी। (घ) चालू वर्ष की फसल होगी और बाह्य रंजक पदार्थों, तेल तथा अन्य हानिकारक पदार्थों से मुक्त होगी।

साक्षात् संबंधी अवधारणों का आधार : सभी अवधारणों और प्रतिशतता को प्रतिनिधि नमूनों के कुल भार के आधार पर हिसाब में लिया जाएगा।

लंबाई :	स्तम्भ 3 में विनिर्दिष्ट सहायता यदुच्छ चुने गए 20 फलों की औसत लंबाई पर आधारित होगी। फल का माप उसके ऊपरी भाग में लेकर पुष्प बृत्तक बिन्दु तक लिया जाएगा, जहाँ फल का डंठल जुड़ा होता है।
विवर्णित फलियां :	फलियां भूरे, काले, सफेद रंग की होगी और अन्य रंग के धब्बों वाली को विवर्णित फली समझा जाएगा।
विजातीय पदार्थ :	सभी बाह्य पदार्थों को जिसमें पुटक के टुकड़े और खुला डंठियां सम्मिलित हैं, विजातीय पदार्थ समझा जाएगा। आकस्मिक त्रुटियों के लिए ए.एस. श्रेणी और जी.श्रेणी के संबंध में स्तम्भ 3 में विनिर्दिष्ट सहायता से अधिक 5 प्रतिशत तक अनुज्ञेय होगी। आकस्मिक त्रुटियों के लिए दोनों श्रेणियों के लिए स्तम्भ 5 के अधीन 0.5 प्रतिशत और स्तम्भ 6 के अधीन 1.0 प्रतिशत तक की सहायता अनुज्ञेय होगी।
आर्द्रता :	आकस्मिक त्रुटियों के लिए, आर्द्रता अंतर्वस्तु के लिए 0.5 प्रतिशत की सहायता अनुज्ञेय होगी और अधिकतम केवल 11.5 प्रतिशत तक अनुज्ञेय होगी।

## अनुसूची IV

वाणिज्यिक रूप से "गोसपुरिया" के नाम से ज्ञात मिर्चों का श्रेणी अधिधान और क्वालिटी की परिभाषा

विशेष लक्षण										साधारण लक्षण
श्रेणी अभिधान	व्यापार नाम	लम्बाई सें.मी. में	रंग	सहायता की अधिकतम सीमाएं						
				क्षतिग्रस्त और विवर्णित फली	डंठल रहित फली	आर्द्रता	खुले बीज	बाह्य पदार्थ	टूटी हुई मिर्चें	
1	2	3	4	5	6	7	8	9	10	11
जी. एस .	गोसपुरिया विशेष	5 और 5 से अधिक	समकला हुआ लाल	2.0	2.0	11.50	1.0	1.0	5.0	मिर्चें— (क) कैप्सिकम एगम एल जाति के शुष्कित पके फल होंगे। (ख) अन्तर्बस्तु श्वेत होगी, जितनी उम किस्म के लिए सामान्य है।
जी. जी.	गोसपुरिया साधारण	5 से कम और 3 से अधिक	यथोक्त	3.0	2.0	11.50	1.0	1.0	5.0	(ग) फफूंदी या कीटग्रस्त क्षति से मुक्त होगी और अच्छी प्रवस्था में तथा मानव उपभोग के लिए उपयुक्त होगी। (घ) चारों वर्ष की फसल होगी और बाह्य रंजक पदार्थ और अन्य हानिकारक पदार्थों से मुक्त होगी।

माता संबंधी अवधारणों का आधार : सभी अवधारणों और प्रतिशतता को प्रतिनिधि नमूनों के कुल भार के आधार पर हिसाब में लिया जाएगा।

लंबाई :	स्तम्भ 3 में विनिर्दिष्ट सहायता यदुच्छ चुने हुए 20 फलों की औसत लंबाई पर आधारित होगी। फल का माप उसके ऊपरी भाग में लेकर पुष्प बृत्तक बिन्दु तक लिया जाएगा। जहाँ फल का डंठल जुड़ा होता है।
विवर्णित फलियां :	फलियां भूरे लाल, काले, सफेद रंग की होगी और अन्य रंग के धब्बों वाली को विवर्णित फली समझा जाएगा।
विजातीय पदार्थ :	सभी बाह्य पदार्थों को जिनमें पुटक के टुकड़े और खुली डंठियां सम्मिलित हैं, विजातीय पदार्थ समझा जाएगा। आकस्मिक त्रुटियों के लिए जी.एस. श्रेणी और जी.जी. श्रेणी के संबंध में स्तम्भ 3 में विनिर्दिष्ट सहायता से अधिक 5 प्रतिशत की सहायता अनुज्ञेय होगी। दोनों श्रेणियों के लिए आकस्मिक त्रुटियों के लिए स्तम्भ 8 के अधीन 0.5 प्रतिशत की सहायता अनुज्ञेय होगी। आकस्मिक त्रुटियों के लिए, आर्द्रता अंतर्वस्तु के लिए 0.5 प्रतिशत की सहायता अनुज्ञेय होगी और अधिकतम केवल 11.5 प्रतिशत तक अनुज्ञेय होगी।



## अनुसूची-5 (क)

इन नियमों की अनुसूची 1, 2, 3, 4 और 5 के अन्तर्गत माने जाने वाली और भारत में उत्पादित मिर्चों की किस्मों का श्रेणी अभिधान और क्वालिटी की परिभाषा

श्रेणी अभिधान	रंग	डंठल रहित	विशेष लक्षण				साधारण लक्षण	
			फलियां भार के आधार पर प्रतिशत	टूटी हुई मिर्चें भार के आधार पर प्रतिशत	खुले बीज भार के आधार पर प्रतिशत	क्षतिग्रस्त विवर्णित फली भार के आधार पर प्रतिशत	बाह्य पदार्थ भार के आधार पर प्रतिशत	आद्रता भार के आधार पर प्रतिशत
1	2	3	4	5	6	7	8	9
विशेष	किस्म के लक्षण	5	5	2	2	1	12	मिर्चें— (क) कैप्सिकम एग्रम एल जाति का
साधारण	यथोक्त	10	7	3	4	2	12	शुष्कित पका फल होगा।
अच्छी	यथोक्त	15	10	5	6	3	12	(ख) इसका आकार, तीखापन और बीज अंतर्बस्तु इतनी होगी, जितनी उस किस्म के लिए प्रसामान्य है।
अविनिर्दिष्ट		—	—	—	—	5	12	(ग) फफूंदी या कीटग्रस्त क्षति से मुक्त होगी और अच्छी अवस्था में तथा मानक उपयोग के लिए उपयुक्त होगी। (घ) केवल एक मौसम के बालू बर्ब की फसल होगी और बाह्य रंजक पदार्थों, तेल और अन्य किसी हानिकारक पदार्थ से मुक्त होगी। (ङ) प्रत्येक परेषणके रंग में एक समानता होगी और परेषण के भीतर एक बेल के दूसरे बेल के रंग में भिन्नता नहीं होगी।

किस्म अविनिर्दिष्ट :	किस्म का नाम, श्रेणी अभिधान चिन्ह नेबल पर पृथक् रूप में स्टाम्पित होगा। यह क्रेता की उन विनिर्दिष्ट प्रपेक्षाओं की पूर्ति करने के लिए है, जो किन्हीं नियमित श्रेणियों के अन्तर्गत नहीं आती हैं। इसे केवल निर्यात श्रेणीकरण के लिए क्रेता से किसी विनिर्दिष्ट आदेश के विरुद्ध जिसमें प्रपेक्षित मात्रा और क्वालिटी बतित होगी, अनुशात किया जाएगा।
साबुत फलियां :	साबुत फलियों के अन्तर्गत वे फलियां हैं जो साबुत फली के 75 प्रतिशत या उससे अधिक तक संभार में प्रक्षत हैं।
टूटी हुई फलियां :	टूटी हुई फलियां वे हैं जो आकार में छेदों में टूटी हुई हैं जो साबुत फली के अन्तर्गत नहीं आते हैं।
क्षतिग्रस्त और अवर्णित फलियां :	क्षतिग्रस्त फलियां वे फलियां हैं, जो सारतः क्षतिग्रस्त हैं और क्वालिटी को प्रभावित करती हैं। वे फलियां जिसके 25 प्रतिशत या उससे अधिक तक बाहरी भाग पर भूरे, काले, सफेद और अन्य रंगीन धब्बे/ हैं अवर्णित फलियां समझी जाएंगी।
विजातीय पदार्थ : नमी :	सभी बाह्य पदार्थ, जिसके अन्तर्गत मिट्टी के टुकड़े और बिखरे डंठल भी हैं, विजातीय पदार्थ माने जाएंगे। वर्षा ऋतु के दौरान अर्थात् 1 जून से 30 सितम्बर तक 1 प्रतिशत नमी को सह्यता अनुशात की जाएगी।

## अनुसूची - 5 (ख)

डंडी रहित मिर्चों का श्रेणी अभिधान और क्वालिटी की परिभाषा

भारत में उत्पादित मिर्चें

- डंडी रहित मिर्चों, पुटकों सहित डंडियां हटाने के परभाव (अविनिर्दिष्ट को छोड़कर) अनुसूची 1 से 5 में किसी श्रेणी अभिधान द्वारा उपरक्षित क्वालिटी के अनुरूप मिर्चों से प्राप्त की जाएंगी।
- डंडी रहित मिर्चों का श्रेणी अभिधान वही होगा जिससे मिर्चें अभिप्राप्त की जाती हैं सिवाय इसके कि "डंडी रहित" शब्द श्रेणी अभिधान के परभाव संलग्न किया जाएगा।
- डंडी रहित पुटकों के लिए अधिकतम सहायता सीमा सभी श्रेणियों के लिए गणना द्वारा 3 प्रतिशत और डंडियों सहित पुटकों के लिए गणना द्वारा 7 प्रतिशत होगी।

## अनुसूची V-(ग)

भारत में उत्पादित कठित मिर्चों का श्रेणी अभिधान और क्वालिटी की परिभाषा

1. कठित मिर्चें जड़ से डंडी काटने के पश्चात् किन्तु पुटक साबित रखते हुए अनुसूची I से V में (अविनिर्दिष्ट को छोड़कर) किसी श्रेणी अभिधान द्वारा उपरिष्ठित क्वालिटी के अनुरूप मिर्चों से अभिप्राप्त की जाएंगी।
2. कठित मिर्चों का श्रेणी अभिधान वही होगा जिससे मिर्चें अभिप्राप्त की जाती हैं सिवाय इसके कि "कठित" शब्द श्रेणी अभिधान से संलग्न किया जाएगा।
3. डंडी सहित पुटकों के लिए अधिकतम सहायता सीमा सभी श्रेणियों के लिए लागू गणना द्वारा 3 प्रतिशत होगी।

## अनुसूची V-(घ)

मिर्चों की क्वालिटी का श्रेणी अभिधान और परिभाषा (अविनिर्दिष्ट)

श्रेणी	सम्बन्धी रंग	विशेष लक्षण		सहायता की अधिकतम सीमा			साधारण लक्षण		
		दाहिना	बायाँ	नमी	विचारे	विजातीय	दूरी हुई		
		और अप	विना फलियाँ	वर्णित फलियाँ	बीज	पदार्थ	मिर्च		
1	2	3	4	5	6	7	8	9	10
अविनिर्दिष्ट (एन. एस.)	--	--	--	--	11.5 प्रतिशत	--	5.00 प्रतिशत	--	मिर्चें : (क) कैपसिकम एम्म एल जाति के शुष्कित पके फल होंगे। (ख) आकार, तीखापन और बीज की मात्रा उतनी होगी जितनी सामान्य किस्म के लिए है। (ग) फकुंदी, कीट प्रसून से मुक्त होंगी। (घ) चायू बर्ष की फसल होंगी और बाह्य रंजक पदार्थों, तेल और अन्य किसी हानिकारक पदार्थ से मुक्त होंगी।

[फा. सं. 6/15/91 - ई आई एंड ईपी]

सुमा सुब्बण्णा, निदेशक

टिप्पण :- भासात्मक अवधारण का आधार : सभी अवधारणों और प्रतिशतों की गणना प्रतिनिधि नमूनों के कुल भार के आधार पर की जाएगी।

2. अविनिर्दिष्ट श्रेणी केवल उस उत्पाद को लागू होगी जो निर्यात के लिए अन्य श्रेणी के अन्तर्गत नहीं आता है और जो केवल विदेशी नेता का "पक्का आदेश" प्रस्तुत किए जाने पर भारत सरकार के कृषि विपणन सलाहकार या इस संबंध में उसके द्वारा प्राधिकृत अधिकारी (अधिकारियों) द्वारा अनुमोदन किए जाने के अधीन निर्यात के लिए "पक्का आदेश" में विभिन्न क्वालिटी संबंधी बातों के लिए विनिर्दिष्ट सीमा के साथ अपेक्षित क्रिस्म और क्वालिटी दर्शित होनी चाहिए। विदेशी नेता को इस आशय का बचनबद्ध भी देना होगा कि "पक्का आदेश" में उसके द्वारा विनिर्दिष्ट की गयी क्वालिटी प्राप्त करने वाले देश के स्वास्थ्य प्राधिकारियों को स्वीकार्य है।

"पक्का आदेश" से अभिप्रेत होगा कि संपूर्ण जल धन का संशय अप्रतिसंहत प्रत्यय पत्र द्वारा या किसी अन्य विधिमार्ग रूप में गारंटीकृत है।

3. अपवर्णित फलियाँ : वे फलियाँ जो भूरी, फाली, सफेद और अन्य रंगीन धब्बों वाली हैं, अपवर्णित फलियाँ समझी जाएंगी।

4. नमी : आक्समिक गलतियों के लिए सहायता नमी अंतरवस्तु में 0.5 प्रतिशत की और अधिकतम 11.5 प्रतिशत की अनुमत होगी।

5. विजातीय पदार्थ : सभी बाह्य पदार्थ जिनके अंतर्गत टोपी के टुकड़े और डंडल भी हैं, बाह्य पदार्थ माने जाएंगे।

## ORDER

New Delhi, the 3rd May, 1993

rule 11 of the Export (Quality Control and Inspection) Rules 1964, in the Gazette of India, Part-II, Section-3, Sub-section (ii) dated 1st September, 1992 under the Order of the Government of India in the Ministry of Commerce, No. S.O. 2405 dated 19th September, 1992;

S.O. 975.—Whereas for the development of the export trade of India, certain proposals for subjecting chillies to quality control and inspection prior to export were published as required by sub-rule (2) of

And whereas the objection and suggestions were invited from all persons likely to be affected hereby

within a period of forty-five days of the date of publication of the said Order in the Official Gazette;

And whereas the copies of the said Gazette were made available to the public on the 14-10-92;

And whereas the objections and suggestions received from the public on the said proposals have been considered by the Central Government;

Now, therefore, in exercise of the powers conferred by section 6 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government, after consulting the Export Inspection Council, being of the opinion that it is necessary and expedient so to do for the development of the export trade of India, hereby :—

- (1) notifies that chillies shall be subject to quality control and inspection prior to export;
- (2) specifies the type of quality control and inspection in accordance with the Export of Chillies (Quality Control and Inspection) Rules, 1993 as the type of quality control and inspection which shall be applied to such Chillies prior to export;
- (3) recognises—
  - (a) the national standards of importing countries and such international standards as are recognised by the Export Inspection Council;
  - (b) the contractual specifications agreed to between the foreign buyer and the exporter provided that such specifications are not below the minimum specifications set out in Schedule I to V (A to D) to this Order ;
  - (c) the grade designation formulated under the Chillies Grading and Marketing Rules,

1962 as set out in Schedule-I to V (A to (D) to this Order provided that such specifications are in conformity with clause (b).

- (d) in the absence of contractual specifications the minimum specifications set out in the Schedule appended to this Order;

Provided that the specifications mentioned in clause (a), (b), (c) and (d) shall also conform to the Food Laws, if any, in force in the importing country.

- (4) to prohibit the export, in the course of international trade of Chillies unless a mark or seal recognised by the Central Government indicating that it conforms to the standard specifications applicable to it has been affixed or applied to packages or containers of such Chillies and is accompanied by a certificate of marketing and grading issued by the Agricultural Marketing Adviser to the Government of India or by any of the Export Inspection Agencies established under section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963) to the effect that such Chillies conform to the aforesaid standard specifications and is exportworthy.
- (5) Nothing in this Order shall apply to export by sea, land or air of bonafide samples of Chillies not exceeding in value of rupees fifty only to prospective buyers.
- (6) In this Order 'Chillies' means Chillies (*Capsicum annum* L.) produced in India.
- (7) This Order shall come into force on the date of its publication in the Official Gazette.

#### SCHEDULE—I

Grade designations and definition of quality of Chillies commercially known as Sannum

Grade designation	Trade Name	Special Characteristics			
		Colour	Length	Pods without stalks per cent. by wt. (max.)	Broken Chillies per cent. by wt. (max.)
1	2	3	4	5	6
S.S.	Sannum Special	Light red shining	5 cm and above	5	5
S.G.	Sannum General	Light red Shining	above 3 cm and below 5 cm.	10	7
S.F.	Sannum Fair	Blackish dull red	above 3 cm and below 5 cm.	15	10
Non Specified NS	*Sannum	—	..	..	..

Special characteristics				
Loose Seed per cent. by wt. (max.)	Damaged and dis-coloured pods per cent. by wt. (max.)	Foreign matter per cent. by wt. (max.)	Moisture per cent by wt. (max.)	General characteristics
7	8	9	10	11
2	2	1	12	Chillies shall :—
3	4	2	12	(a) be the dried ripe fruits belonging to the species <i>Capsicum annum</i> L;
5	6	3	12	(b) have shape, pungency, and seed contents normal to the variety;
..	..	5	12	(c) be free from mould, insect or damage and be in sound condition and fit for human consumption;
				(d) be current years crop belonging to one season only and shall be free from extraneous colouring matter, oil and other harmful substance.

**Explanations :**

"Non-Specified"	: is not a regular grade. It is provided to meet such specific requirements of the buyer which are not covered under any of the grades. It shall be allowed only for export grading against a specific order from the buyer indicating the quality and quantity required.
Length	: The length of the pods shall be reckoned from the tip of the fruit to the pedical point where the stalk is attached. For accidental errors in grading tolerance upto 5 per cent. for pods not conforming to the specified length will be allowed in all grades.
Whole Pods	: Whole pods include pods which are in tact lengthwise to the extent of 75 per cent. or more of the whole pods.
Broken Pods	: Broken pods are which pods are broken into pieces of the size not included under whole pods.
Loose Seeds	: Seeds out of Chillies pods will be considered as loose seeds.
Damaged discoloured pods	: Damaged pods are those pods which are damaged materially affecting the quality pods having brown black, white and other coloured patches covering 25 per cent. or more surface area of pods will be considered as discoloured pods.
Foreign matter	: All extraneous matter including calyx pieces and loose stalks will be treated as foreign matter.
Tolerance for moisture	: A tolerance of 1 per cent. for moisture content will be allowed during monsoon season that is 1st June to 30th September.

**SCHEDULE II**

Grade designations and definitions of quality of Chillies commercially known as "Mundu".  
Special characteristics

Grade designation	Trade name	Length in cm.	Colour	Maximum limits of tolerance	
				Damaged and discoloured %	Pods without stalk %
1	2	3	4	5	6
M.S.	Mundu Special	Not exceeding 2.5 cms.	Deep red shining	2.0	5.0
M.G.	Mandu General	-do-	-dp-	4.0	10.0

Maximum limits of tolerance				
Moisture	Loose seed	Foreign matter	Broken chillies	General characteristics
%	%	%	%	
7	8	9	10	11
11.50	1.00	1.00	1.00	Chillies shall—
				(a) be the dried ripe fruits belonging to the species <i>Capsicum annum</i> L.;
11.50	1.00	1.00	1.00	(b) have shape, pungency and seed contents normal to the variety;
				(c) be free from smould or insect damage and be in sound condition and fit for human consumption ;
				(d) be current years crop and shall be free from extraneous colouring matter, oil and other harmful substances.

Basis of quantitative determinations : All determinations and percentages shall be reckoned on the basis of total weight of representative samples.

Length : Tolerance specified in column 3 shall be based up on the average length of 20 fruits selected at random. The measurement will be taken from the tip of the fruit to the pedical point (where the stalk is attached).

Discoloured pods : Pods having brown, black, white and other coloured patches will be considered as discoloured pods.

Foreign matter : All extraneous matter including calyx pieces and loose stalk will be treated as foreign matter. For accidental errors, a tolerances of 0.5 per cent. under column 5 and 1 per cent. under column 6 is permissible for both the grades.

Moisture : For accidental errors, a tolerance of 0.5 per cent. for moisture content will be allowed over and above 11.5 per cent only.

### SCHEDULE-III

Grade designations and definitions of quality of chillies commercially known as "Rabi" (Patarki or Patli)

Special characteristics

Grade designations	Trade name	Length in cms	Colour	Maximum limits of tolerance	
				Damaged and discoloured pods %	Pods without stalks %
1	2	3	4	5	6
R.S.	Rabi Special	8 and above	Bright red	1.0	2.0
R.G.	Rabi General	Below 8 and above 6	-do-	2.0	2.0

## Maximum limits of tolerance

				General characteristics
Moisture %	Loose seeds %	Foreign matter %	Broken chillies %	
7	8	9	10	11
11.50	1.0	1.0	5.0	Chillies shall—
				(a) be the dried ripe fruit belonging to the species <i>Capsicum annum</i> L;
11.50	1.0	1.0	5.0	(b) have shape, pungency and seed contents normal to the variety;
				(c) be free from mould or insect damage and be in sound condition and fit for human consumption;
				(d) be current year's crop and shall be free from extraneous colouring matter, oil and other harmful substances.

Basis of quantitative determinations : All determinations and percentages shall be reckoned on the basis of the total weight of representative samples.

Length : The tolerance specified in column 3 shall be based upon the average length of 20 fruits selected at random. The measurement will be taken from the tip of the fruit to the pedicel point (where the stalk is attached).

Discoloured Pods : Pods having brown, black, white and other coloured patches will be considered as discoloured Pods.

Foreign matter : All extraneous matters including calyx pieces and loose stalk will be treated as foreign matter. For accidental errors, a tolerance is permissible upto 5 per cent in excess of the tolerance specified under column 3 in respect of R.S. grade and R.G. grades. For accidental errors, a tolerance of 0.5 per cent under column 5 and 1.0 per cent under col. 6 is permissible for both the grades

Moisture : For accidental errors, a tolerance of 0.5 per cent for moisture content will be allowed over and above 11.5 per cent only.

## SCHEDULE IV

Grade designations and definitions of quality of chillies commercially known as "Gospurea"  
Special Characteristics

Grade designation	Trade name	Length in cm.	Colour	Maximum limits of tolerance	
				Damaged and discoloured %	Pods without stalk %
1	2	3	4	5	6
G.S.	Gospurea Special	5 and above 5	Bright Red	2.0	2.0
G.G.	Gospurea General	Below 5 and above 3	-do-	3.0	2.0

## Maximum limits of tolerance

Moisture %	Loose seeds %	Foreign matter %	Broken chillies %	General characteristics
7	8	9	10	11
11.50	1.0	1.0	5.0	Chillies shall—
				(a) be the dried ripe fruits belonging to the species <i>Capsicum annum</i> L;

7	8	9	10	11
11.50	1.0	1.0	5.0	(b) have shape, pungency and seed contents normal to the variety; (c) be free from mould or insect damage and be in sound condition and fit for human consumption; (d) be current year's crop and shall be free from extraneous colouring matter, oil and other harmful substances.

**Basis of quantitative determinations :** All determinations and percentages shall be reckoned on the basis of the total weight of representative samples.

**Length :** The tolerance specified in column 3 shall be based upon the average length of 20 fruits selected at random. The measurements will be taken from the tip of the fruit to the pedicel point (where the stalk is attached).

**Discoloured Pods :** Pods having brown, black, white and other coloured patches will be considered as discoloured.

**Foreign Matter :** All extraneous matters including clay pieces and loose stalk will be treated as foreign matter. For accidental errors, a tolerance is permissible upto 5 per cent excess of tolerance specified in column 3 under G.S. and G.G. grades. For accidental errors, a tolerance of 0.5 per cent under column 5 permissible for both the grades.

**Moisture :** For accidental errors, a tolerance of 0.5 per cent for moisture and 1.0 per cent under column 6 content will be allowed over and above 11.5 per cent only.

#### SCHEDULE-V

Grade designation and definition of the quality of Chillies varieties not covered by Schedule I, II, III and IV of these rules and produced in India

Grade designations		Special characteristics			
	Colour	Pods without stalk per cent by weight (max.)	Broken chillies per cent by wt. (max.)	Loose seeds per cent by wt. (max.)	Damaged and discoloured pods per cent by wt. (max.)
1	2	3	4	5	6
Special	Characteristics of the variety.	5	5	2	2
General	-do-	10	7	3	4
Fair	-do-	15	10	5	6
NON-SPECIFIED*		..	..	..	..
Foreign matter percent by wt. (max).	Moisture percent by weight (max).	General characteristics			
7	8	9			
1	12	Chillies shall— (a) be the dried fruits belonging to the species <i>Capsicum annum</i> L;			

7	8	9
2	12	(b) have characteristics shape, colour, length, pungency and seed contains normal to the variety;
3	12	(c) be free from visible mould or insect damage and be in sound condition and fit for human consumption;
5	12	(d) be current year's crop, belonging to one season only and be free from extraneous colouring matter, oil and other harmful substances; and
		(e) be of uniform colour in each individual consignment and that colour shall not vary from bag to bag within the same consignment.

**Non-Specified Variety :** The name of the variety shall be separately stamped on the grade designation mark label . It is provided to meet such specific requirements of the buyer which are covered under any of the regular grades. It shall be allowed only for export grading against a specific order from the buyer indicating the quantity and quality required.

**Whole pods :** Whole pods include pods which are intact lengthwise to the extent of 75 percent or more of the whole pods.

**Broken pods :** Broken pods are pods which are broken into pieces of sizes not included under whole pods.

**Damaged and discoloured pods :** Damaged pods the those damaged materially affecting the quality pods having brown, black, white and other coloured patches to an extent of 25 percent or considered as discoloured pods.

**Foreign matter :** All extraneous matter including, clay pieces and loose stalks will be treated as foreign matter.

**Moisture :** A tolerance of 1 per cent for moisture content will be allowed during monsoon season that is 1st June to 30th September.

#### SCHEDULE-V(B)

**Grade designations and definition of quality of Stalkless.**

Chillies produced in India

1. Stalkless Chillies shall be obtained from Chillies conforming to the quality indicated by any grade designation in Schedule I to V (except non-specified) after removal of stalks together with calyx.
2. The grade designation of the stalkless Chillies shall be the same from which the Chillies are obtained except that the word "Stalkless" shall be appended after the grade designation.
3. The maximum tolerance limit for pods with stalk shall be 3 per cent by count and for pods with calyx 7 per cent by count applicable for all grades.

#### SCHEDULE-V(C)

**Grade designation and definition of the quality of Clipped Chillies produced in India**

1. Clipped Chillies shall be obtained from Chillies conforming to the quality indicated by any grade designation in Schedule I to V (except non specified) after clipping stalks from the base, but keeping calyx intact.
2. The grade designation of the clipped chillies shall be the same from which the chillies are obtained except that the word "Clipped" shall be appended to the grade designation.
3. The maximum tolerance limit for pods with stalk shall be 3 per cent by count applicable for all grades.



## SCHEDULE-V (D)

## Grade designation and definition of quality of chillies (Non-specified)

Grade designation	Length in centimeter	Colour	Special characteristics		
			Maximum limit for the tolerance		
			Damaged and dis-coloured pods	Pods without stalk	Moisture
1	2	3	4	5	6
Non-Specified (N.S.)	..	..	..	..	11.5%

General characteristics			
Loose seed	Foreign matter	Broken chillies	
7	8	9	10
..	5.00%	..	Chillies shall—
			(a) be the dried ripe fruits, belonging to the species <i>Capsicum annum</i> L.
			(b) have shape, pungency and seed contents normal to the variety.
			(c) be free from mould, insect infestation.
			(d) be current year crop and shall be free from extraneous colouring matter, oil and other harmful substance.

[File No. 6/15/91—EI&amp;EP]

SUMA SUBBANNA, Director.

NOTE : Basis of quantitative determination : All determinations and percentages shall be reckoned on the basis of the total weight of representative samples.

2. N.S. Grade (Non-specified grade shall be applicable to the produce not covered by other for export only on production of 'firm order' from the foreign buyer, subject to approval of the Agricultural Marketing Adviser to the Government of India or the officer(s) authorised by him in this respect. The 'firm order' should indicate variety and quantity required under alongwith specific limits for various quality factors. The foreign buyer will also have to give an undertaking to this effect that quality specified by him in the 'firm order' is acceptable to the Health Authorities of the importing country. The phrase 'firm order' shall mean that the payments of whole of the purchase money is guaranteed either through irrevocable letter of credit or in some other valid form.
3. Discoloured pods : Pods having brown, black, white and other coloured patches will be considered as discoloured pods.
4. Moisture : For accidental errors, at tolerance of 0.5 % in moisture content will be allowed over and above 11.5 per cent only.
5. Foreign matter : All extraneous matter including calyx pieces and loose stalks will be treated as foreign matter.

सई बिल्ली, 3 मई, 1993

का. घा. 976.—केन्द्रीय सरकार, निर्यात (क्यालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 17 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निम्नलिखित नियम बनाती है, अर्थात्—

1. संक्षिप्त नाम और आरम्भ—(1) इन नियमों का संक्षिप्त नाम 'मिर्च' का निर्यात (क्यालिटी नियंत्रण और निरीक्षण) नियम, 1993 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. परिभाषाएँ—इन नियमों में, जब तक कि संदर्भ से अन्यथा अपेक्षित न हो,—

(क) "अधिनियम" से निर्यात (क्यालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) अभिप्रेत है,

(ख) "परिपद" से अधिनियम की धारा 3 के अधीन स्थापित निर्यात निरीक्षण परिषद अभिप्रेत है,

(ग) "अभिकरण" से अधिनियम की धारा 7 के अधीन मुम्बई, कलकत्ता, कोचीन, विल्मी और मद्रास में, केन्द्रीय सरकार द्वारा स्थापित कोई निर्यात निरीक्षण अभिकरण या भारत सरकार का कृषि विपणन सहायकार अभिप्रेत है,

(घ) "मिर्च" से भारत में उत्पादित मिर्च (कैप्सिकम एन्नुम एच) अभिप्रेत है।

3. निरीक्षण का आदेश—निर्यात के लिए आशयित मिर्च का निरीक्षण समय-समय पर परिषद द्वारा जारी किए गए अनुदेशों के अनुसार अभिकरण द्वारा प्रत्येक परेक्षण से नमूने लेकर और उनका परीक्षण करके यह दिखाने की दृष्टि से किया जाएगा कि उनका अभिकरण द्वारा अनुमोदित एककों में प्रसंस्कृत पैक और भण्डारित किया गया है और यह कि उत्पाद अधिनियम की धारा 6 के अधीन केन्द्रीय सरकार द्वारा मान्यता प्राप्त मानक विनिर्देशों के अनुरूप है।

4. निरीक्षण की प्रक्रिया—(1) मिर्च के निर्यात करने के लिए आशयित कोई भी निर्यातकर्ता निकटतम अभिकरण को या अभिकरण द्वारा इस निमित्त प्राधिकृत अभिकरण के किसी अधिकारी को निर्यात किए जाने के लिए आशयित परेक्षण की विशिष्टियाँ देते हुए निरीक्षण के लिए आवेदन (दो प्रतियों में) प्रस्तुत करेगा।

(2) उपनियम (1) के अधीन कोई आवेदन—

(क) उन परिस्थितियों में जो अभिकरण के कार्यालय के उरी केन्द्र में अवस्थित हैं, निरीक्षण किए जाने से पूर्व कम से कम दो दिन पूर्व प्रस्तुत किया जाएगा, और

(ख) उन परिस्थितियों में, जो अभिकरण के कार्यालय के उरी केन्द्र में अवस्थित नहीं हैं, निरीक्षण किए जाने के कम से कम दस दिन पूर्व प्रस्तुत किया जाएगा।

(3) उपनियम (2) में निविष्ट आवेदन की प्राप्ति पर अभिकरण निर्यात निरीक्षण परिषद द्वारा इस निमित्त समय-समय पर जारी किए गए निर्देशों के अनुसार मिर्च का परेक्षण या निरीक्षण करता यह समाधान करने के विचार से करेगा कि परेक्षण नियम 3 के अनुसार श्रेणीक और पैक किया गया है। निर्यातकर्ता अभिकरण को ऐसा निरीक्षण करने के लिए सभी आवश्यक सुविधाएं देगा।

(4) यदि निरीक्षण के परवान अभिकरण का समाधान हो जाता है कि निर्यात की जाने वाली मिर्च का परेक्षण नियम 3 में निविष्ट विनियमों,

अपेक्षाओं के अनुरूप है तो यह सूचना की प्राप्ति के सात दिन के भीतर परेक्षण की गिराई योग्य पोषित करते हुए एक प्रमाण पत्र जारी करेगा।

(5) यदि अभिकरण का समाधान नहीं होता है, तो यह उक्त सात दिन की अवधि के भीतर ऐसा प्रमाणपत्र जारी करने से इंकार कर देगा और निर्यातकर्ता को ऐसे इंकार की सूचना उसके कार्यालय सहित विहित रूप में देगा।

(6) प्रमाणीकरण के पश्चात् अभिकरण का भण्डारण के किसी स्थान पर अभिवहन में, या पोत पर उनका वास्तविक लदाई से पूर्व परेक्षण की क्यालिटी का पुनः निर्धारण करने का अधिकार होगा।

(7) किसी प्रक्रम पर परेक्षण के मानक विनिर्देशों के अनुकूल न पाए जाने की घटा में मूल रूप में जारी किया गया निरीक्षण प्रमाणपत्र वापिस ले लिया जाएगा।

5. पैकिंग और विन्हाकन—(1) निर्यात के लिए मिर्चों को पैक करने का आशयित रखने वाले निर्यातकर्ता के लिए विहित मानक पैकेजों में या केता की विनिर्दिष्ट अपेक्षाओं के अनुसार पैक करेगा।

(2) पैकेजों पर निम्नलिखित सूचना स्टाम्प/मुद्रित की जाएगी :

(क) निर्यातकर्ता का नाम और पता

(ख) मद का नाम और किस्म

(ग) श्रेणी

(घ) लाट संख्या और पैकिंग की तारीख

(ङ) कुल भार और शुद्ध भार

(च) भारतीय उत्पाद

(छ) पोत परिवहन चिह्न

6. निरीक्षण का स्थान—(1) इन नियमों के प्रयोजन के लिए निरीक्षण निर्यातकर्ताओं के परिसरों में वहां किया जाएगा जहां निरीक्षण के लिए माल प्रस्तुत किया जाता है, परन्तु यह तब जब कि वहां पर्याप्त सुविधाएं विद्यमान हों।

7. निरीक्षण फीस—परेक्षणानुसार निरीक्षण के लिए परेक्षण के पोत पर्यंत निशुल्क मूल्य के 0.4 प्रतिशत की दर से अधिकतम फीस के अधीन रहते हुए, फीस निरीक्षण के रूप में प्रसंस्करणकर्ता/निर्यातकर्ता से अभिकरण द्वारा एकत्रित की जाएगी।

टिप्पण—निर्यातक द्वारा प्रत्येक परेक्षण के लिए संवेद्य निरीक्षण फीस की एकम निकटतम रूप में पूर्णांकित की जाएगी और इस प्रयोजन के लिए जहां ऐसी रकम में खप का एक भाग है और तब यदि ऐसा भाग पचास पैसे का या उससे अधिक है तो उसको बढ़ाकर एक रुपया कर दिया जाएगा और यदि ऐसा भाग पचास पैसे से कम है तो उसे छोड़ दिया जाएगा।

8. अपील : (1) अभिकरण द्वारा निरीक्षण प्रमाण-पत्र जारी करने से इंकार कर दिए जाने से व्यक्ति कोई निर्यातकर्ता ऐसे इंकार की प्राप्ति के दस दिन के भीतर एक अधीन उक्त अभिकरण को करेगा जो उसे इस प्रयोजन के लिए नियुक्त विशेषज्ञों के पैल को, जिनमें केन्द्रीय सरकार द्वारा उक्त प्रयोजन के लिए नियुक्त कम से कम तीन और अधिक से अधिक मान्य व्यक्ति होंगे, निविष्ट करेगा।

(2) विशेषज्ञ पैल के कुल सदस्यों में से कम से कम दो विद्वान् अणामर्क्य होंगे।

(3) पैल की गणपूर्ति तीन सदस्यों में होगी।

(4) अपील प्राप्ति की तारीख से पन्द्रह दिन के भीतर निपटा दी जायेगी।

[फा. सं. 6/15/91-ई आई एण्ड ई पी]

मुमा मुक्षणा, निदेशक

New Delhi, the 3rd May, 1993

S.O. 976.—In exercise of the powers conferred by Section 17 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963) the Central Government hereby makes the following rules, namely :—

1. Short title and commencement.—(1) These rules may be called the Export of Chillies (Quality Control and Inspection) Rules, 1993.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.—In these rules unless the context otherwise requires,—

(a) "Act" means the Export (Quality Control and Inspection) Act, 1963 (22 of 1963);

(b) "Council" means the Export Inspection Council established under section 3 of the Act;

(c) "Agency" means any of the Export Inspection Agencies established by the Central Government at Bombay, Calcutta, Cochin, Delhi and Madras under section 7 of the Act or the Agricultural Marketing Adviser to the Government of India;

(d) "Chillies" means the Chillies (*Capsicum annum L*) produced in India.

3. Basis of Inspection.—Inspection of the Chillies intended for export shall be carried out with a view to see that the same has been processed, packed and stored in units approved by the Agency and that the product conforms to the standard specifications recognised by the Central Government under section 6 of the Act, by sampling and testing of each consignment by the Agency as per instructions issued by the Council from time to time.

4. Procedure of Inspection.—(1) Any exporter heading to export Chillies shall submit an application for inspection (in duplicate) to the nearest Agency or an officer of the Agency authorised in this behalf by the Agency, giving particulars of the consignment intended to be exported.

(2) An application under sub-rule (1) shall be submitted,—

(a) not less than two days before the inspection to be carried out at the premises situated at the same station to the office of the Agency; and

(b) not less than ten days before the inspection to be carried out at the premises which are not situated at the same station to the office of the Agency.

(3) On receipt of the application referred to in sub-rule (2), the Agency shall inspect the consignment of Chillies as per the instructions issued by the Export Inspection Council in this behalf from time to

time, with a view to satisfy itself that the consignment has been graded and packed in accordance with rule 3. The exporter shall provide all necessary facilities to the Agency to enable it to carry out such inspection.

(4) If, after inspection, the Agency is satisfied that the consignment of Chillies to be exported complies with the requirements of the specifications referred to in rule 3, it shall, within seven days of the receipt of information, issue a certificate declaring the consignment as exportworthy.

(5) When the Agency is not so satisfied, it shall, within the said period of seven days, refuse to issue such certificate and communicate such refusal to the exporter in writing alongwith the reasons thereof.

(6) Subsequent to certification, the Agency shall have the right to reassess the quality of the consignment at any place of storage, in transit, or at the ports before the actual shipment.

(7) In the event of the consignment being found not conforming to the standard specifications at any of these stages, the certificate of inspection originally issued shall be withdrawn.

5. Packing and marking.—(1) An exporter intending to pack Chillies for export shall pack in standard packages or as per specific requirements of the buyer.

(2) The following information shall be stencilled/printed on the packages—

(a) Name and address of the exporter;

(b) Name of the item and variety;

(c) Grade;

(d) Lot number and date of packing;

(e) Gross weight and net weight;

(f) Product of India;

(g) Shipping Mark.

6. Place of Inspection.—(1) Inspection for the purposes of these rules shall be carried out at the premises of the exporter where the goods are offered for inspection provided that adequate facilities exist therein for inspection.

7. Inspection fees.—Subject to a maximum fees at the rate of 0.4 per cent of the f.o.b. value of the consignment shall be collected by the Agency, as inspection fee, from the processor/exporter under consignmentwise inspection.

Note : The amount of inspection fee for each consignment payable by the exporter shall be rounded off to the nearest rupee and, for this purpose where such amount contains a part of a rupee, then if such a part is fifty paise or more, it shall be increased to one rupee and if such part is less than fifty paise, it shall be ignored.

8. Appeal.—(1) Any exporter aggrieved by the refusal of the Agency to issue the certificate of inspection within ten days of such refusal prefer an

appeal to the said Agency who shall refer the same to a panel of experts consisting of not less than three but not more than seven persons appointed for the purpose by the Central Government.

(3) The quorum for the panel shall be three.

(4) The appeal shall be disposed off within fifteen days from the date of its receipt.

(2) A minimum of two thirds of the total membership of the panel of experts shall be non-officials.

[File No. 6/15/91-EI&EP]  
SUMA SUBBANNA, Director

#### कोयला मंत्रालय

नई दिल्ली, 28 अप्रैल, 1993

का.प्रा. 977.—केन्द्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उपधारा (1) के अधीन भारत के राजपत्र, भाग 2, खंड 3, उपखंड (ii), तारीख 11 मई, 1991 में प्रकाशित भारत सरकार के ऊर्जा मंत्रालय (कोयला विभाग) की अधिसूचना का.प्रा.सं. 1313 तारीख 18 अप्रैल, 1991 द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट परिक्षेत्र की भूमि में जिसका माप 4114.798 हेक्टर (लगभग) या 10167.66 एकड़ (लगभग) है, कोयले का पूर्वेक्षण करने के अपने आशय की सूचना दी थी;

और केन्द्रीय सरकार का यह समाधान हो गया है कि उक्त भूमि के भाग में कोयला अधिप्राय है।

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उससे संलग्न अनुसूची में वर्णित 3952.067 हेक्टर (लगभग) या 9765.56 एकड़ (लगभग) माप की भूमि या ऐसी भूमि में खनिजों के खनन, खदान, बोर करने, निष्कासन के लिए उनकी खुदाई करने और तलाश करने, उन पर कार्य करने और उन्हें ले जाने के अधिकारों का अर्जन करने के अपने आशय की सूचना देती है।

टिप्पण 1 : इस अधिसूचना के अन्तर्गत आने वाले क्षेत्र के रेखांक सं. एं.ई.सी.एल/बी.एस.पी./जी.एम./योजना/भूमि/1191 तारीख 5 फरवरी, 1993 का निरीक्षण कलकत्ता शहडोल/सरगुजा के कार्यालय में या कोयला नियंत्रक, काउंसिल हाउस स्ट्रीट, कलकत्ता (700001) के कार्यालय में या साउथ ईस्टर्न कोलफील्ड लिमिटेड (राजस्व अनुभाग), बिलासपुर 495001 (म.प्र.) के कार्यालय में किया जा सकता है।

टिप्पण 2 : उक्त अधिनियम की धारा 8 के उपबंधों की ओर ध्यान आकृष्ट किया जाता है, जिसमें निम्नलिखित उपबंध है।

#### 8. अर्जन के प्रति आक्षेप—

(1) कोई व्यक्ति जो किसी भूमि में जिसकी बाबत धारा 7 के अधीन अधिसूचना निकाली गई है, हितबद्ध है, अधिसूचना के निकाले जाने से तीस दिन के भीतर संपूर्ण भूमि या उसके किसी भाग या ऐसी भूमि में या उस पर के किन्हीं अधिकारों का अर्जन किए जाने के बारे में आपत्ति कर सकेगा।

स्पष्टीकरण—इस धारा के अर्थात्तर्गत यह आपत्ति नहीं मानी जाएगी कि कोई व्यक्ति किसी भूमि में कोयला उत्पादन के लिए स्वयं खनन संक्रियाएं करना चाहता है और ऐसी संक्रियाएं केन्द्रीय सरकार या किसी अन्य व्यक्ति को नहीं करनी चाहिए।

(2) उपधारा (1) के अधीन प्रत्येक आपत्ति सक्षम प्राधिकारी को लिखित रूप में की जाएगी और सक्षम प्राधिकारी आपत्तिकर्ता को स्वयं सुने जाने का या विधि व्यवसायी द्वारा सुनवाई का अवसर देगा और ऐसी सभी आपत्तियों को सुनने के पश्चात् और ऐसी प्रतिरिक्त जांच, यदि कोई हो, करने के पश्चात् जो वह आवश्यक समझता है वह या तो धारा 7 की उपधारा (1) के अधीन अधिसूचित भूमि के या ऐसी भूमि के या उस पर के अधिकारों के संबंध में एक रिपोर्ट या ऐसी भूमि के विभिन्न टुकड़ों या ऐसी भूमि में या उस पर के अधिकारों के संबंध में आपत्तियों पर अपनी सिफारिशों और उसके द्वारा की गई कार्यवाही के अभिलेख सहित विभिन्न रिपोर्ट केन्द्रीय सरकार को उसके विनिश्चय के लिए देगा।

(3) इस धारा के प्रयोजनों के लिए वह व्यक्ति किसी भूमि में हितबद्ध समझा जाएगा जो प्रतिकर में हित का दावा करने का हकदार होता यदि भूमि या किसी ऐसी भूमि में या उस पर के अधिकार इस अधिनियम के अधीन अर्जित कर लिए जाते हैं।

टिप्पण : 3 केन्द्रीय सरकार ने कोयला नियंत्रक, 1, काउंसिल हाउस स्ट्रीट, कलकत्ता-700001, को उक्त अधिनियम की धारा 3 के अधीन भारत के राजपत्र, भाग 2, खंड 3, उपखंड (ii) तारीख 14 अप्रैल, 1987 के पृष्ठ 1397 से 1400 पर प्रकाशित अधिसूचना सं. का.प्रा. 905 तारीख 20 मार्च, 1987 द्वारा सक्षम प्राधिकारी नियुक्त किया है।

**अनुसूची**  
**अमृतधारा और सिरिया ब्लाक**  
**हसदेव क्षेत्र**  
**जिला—शहडोल और सरगुजा (मध्य प्रदेश)**

प्लान सं. एस ई सी एल/बी एस पी/  
ए सी एम ई/एल ई आर/भूमि/83  
(भूमि अर्जन किए जाने का आशय दर्शाते हुए)

खनन अधिकार  
राजस्व भूमि

क्र.सं.	ग्राम मौजा	सेंटलमेंट सं.	तहसील	जिला	क्षेत्र हेक्टरों में	टिप्पण
1.	डूमरकछार	404	कोटमा	शहडोल	90.505	भाग
2.	मालगा	826	कोटमा	शहडोल	1773.289	भाग
3.	भाटीसराय	790	कोटमा	शहडोल	943.809	सम्पूर्ण
4.	टांकी	376	कोटमा	शहडोल	926.929	सम्पूर्ण
				कुल	3734.532 हेक्टर	(लगभग)

वन भूमि

क्र.सं.	वन का नाम	रेंज	तहसील	जिला	क्षेत्र हेक्टरों में	टिप्पण
1.	कोरा (आरक्षित वन)	चिरीमिरी	मानेद्वगढ़	सरगुजा	217.535	भाग
				कुल	217.535 हेक्टर	(लगभग)
				कुल योग	3952.067 हेक्टर	(लगभग)
				या	9765.56 एकड़	(लगभग)

1. ग्राम डूमरकछार (भाग) में अर्जन किए जाने वाले प्लॉट की संख्याएं :

103 से 105

197 और 265

2. ग्राम मालगा (भाग) में अर्जित किए जाने वाले प्लॉट की संख्याएं :

1 से 221	248 (भाग)	264 (भाग)	369/2469
214 (भाग)	252 (भाग)	265 (भाग)	505/2470
215 (भाग)	253 (भाग)	266 से 2462	749/2471
238 (भाग)	254	174/2463	1344/2472
239 (भाग)	255 (भाग)	46/2464	1716/2473
240	256 (भाग)	156/2465	2272/2474
241 (भाग)	261 (भाग)	172/2466	2059/2475
246 (भाग)	262	173/2467	और
247 (भाग)	263 (भाग)	316/2468	2059/2476

## 3. ग्राम भाटी सराय (सम्पूर्ण) में अर्जन किए जाने वाले प्लॉट संख्यांक

1 से 656	362/660	375/664
8/657	201/661	361/665
165/658	201/662	और
352/659	520/663	361/666

## 4. ग्राम टांकी (संपूर्ण) में अर्जन किए जाने वाले प्लॉट संख्यांक :

1 से 451

## कोरा (आरक्षित वन) में अर्जन किए जाने वाले कम्पाटमेंट संख्यांक

617 (भाग)  
618 (भाग) और  
619 (भाग)

## सीमा वर्णन :

- क-ख-ग-ग 1-घ रेखा मालगा, धूमाटोला, भालवाही ग्राम के त्रिकोण से आरम्भ होती है और ग्राम मालगा-भालवाही, मालगा-भारतराई, मालगा-अवादनद की सम्मिलित सीमा से गुजरती हुई ग्राम मालगा, अवादनद और फूलकोजन ग्राम के त्रिकोण बिन्दु पर 'घ' बिन्दु पर मिलती है।
- घ-ङ-ङ 1-च रेखा ग्राम मालगा, फूलकोना ग्राम की सम्मिलित सीमा से गुजरती है उसके पश्चात डूमरकछार-फूलकोना ग्राम की सम्मिलित सीमा से भागतः गुजरती है। उसके पश्चात डूमरकछार ग्राम से प्लॉट संख्यांक 103, 104, 105, 197, 265 की उत्तरी सीमा के साथ साथ चलती हुई 'च' बिन्दु पर मिलती है।
- च-च 1-च 2-च 3-छ-छ 1-छ 2-ज : रेखा डूमरकछार ग्राम के प्लॉट संख्यांक 265 की उत्तरी सीमा से होती हुई गुजरती है उसके पश्चात ग्राम मालगा में प्रवेश करती है और प्लॉट संख्यांक 207 की उत्तरी सीमा प्लॉट संख्यांक 211, 214 की उत्तरी सीमा से गुजरती है। फिर प्लॉट संख्यांक 214, 215 से जाती है। उसके बाद प्लॉट संख्यांक 266, 265 की उत्तरी सीमा से जाती है और प्लॉट संख्यांक 263, 261 से गुजरती है और मालगा तथा भाटी सराय ग्राम की सम्मिलित सीमा पर 'ज' बिन्दु पर मिलती है।
- ज-ज 1-ज 2-ज 3-फ : रेखा ग्राम मालगा में प्लॉट संख्यांक 261, 255, 256, 253, 252, 248, 247, 246, 241, 238, 239 से गुजरती है और जिला गहड़ोल-सरगुजा की सम्मिलित सीमा पर 'फ' बिन्दु पर मिलती है।
- झ-ज रेखा जिला गहड़ोल-सरगुजा की सम्मिलित सीमा से गुजरती है उसके पश्चात सरगुजा जिला में प्रवेश करती है और वन कम्पाटमेंट संख्यांक 617, 618, 619 से गुजरती है और 'ज' बिन्दु पर मिलती है।
- ज-ट रेखा जिला गहड़ोल-सरगुजा की सम्मिलित सीमा से गुजरती है और 'ट' बिन्दु पर मिलती है।
- ट-ठ रेखा जिला गहड़ोल-बिलासपुर की सम्मिलित सीमा से गुजरती है और 'ठ' बिन्दु पर मिलती है।
- ठ-ड-ड-क रेखा ग्राम टांकी, पञ्चरीपानी, मालगा, पञ्चरीपानी, मालगा, झूनाटोल की सम्मिलित सीमा से गुजरती है और आरम्भिक बिन्दु 'क' पर मिलती है।

[सं. 43015/25/90 एल एस डब्ल्यू]

वी.बी. राव, अधीक्षक सचिव

## MINISTRY OF COAL

New Delhi, the 28th April, 1993

S. O. 977—Whereas by the notification of the Government of India in the then Ministry of Energy (Department of Coal) number S.O. 1313 dated the 18th April, 1991, issued under sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act) published in Part-II, Section 3, Sub-section (ii) of the Gazette of India, dated the 11th May, 1991,

the Central Government gave notice of its intention to prospect for coal in 4114.798 hectares (approximately) or 10167.66 acres (approximately) of the land in the locality specified in the Schedule annexed to that notification;

And whereas the Central Government is satisfied that coal is obtainable in a part of the said lands;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 7 of the said Act the Central Government hereby gives notice of its intention to acquire the rights to mine, quarry, bore, dig and search for, win, work and carry away minerals in the lands measuring 3957.057 hectares (approximately) or 9765.56 acres (approximately) described in the Schedule appended hereto;

Note 1. The plan bearing No. SECL/BSP/GM/Plg./Land/119, dated the 6th February, 1992 of the area covered by this notification may be inspected in the office of the Collector, Shahdol/Surguja (Madhya Pradesh) or in the office of the Coal Controller, 1, Council House Street, Calcutta, 700 001 or in the office of the South Eastern Coalfields Limited (Revenue Section), Seepat Road, Bilaspur, 495001 (Madhya Pradesh).

Note 2. Attention is hereby invited to the provisions of section 8 of the said Act which provides as follows :  
Objections to acquisition :

"8. (1) Any person interested in any land in respect of which a notification under section 7 has been issued may, within thirty days of the issue of the notification, object to the acquisition of the whole or any part of the land or of any rights in or over such land.

Explanation.—It shall not be an objection within the meaning of this section for any person to say that he himself desires to undertake mining operations in the land for the production of coal and that such operations should not be undertaken by the Central Government or by any other person.

(2) Every objection under sub-section (1) shall be made to the competent authority in writing, and the competent authority shall give the objector an opportunity of being heard either in person or by a legal practitioner and shall, after hearing all such objections and after making such further inquiry, if any as he thinks necessary, either make a report in respect of the land which has been notified under sub-section (1) of section 7 or of rights in or over such land, or make different reports in respect of different parcels of such land or of rights in or over such land, to the Central Government, containing his recommendations on the objections, together with the record of the proceedings held by him, for the decision of that Government.

(3) For the purposes of this section, a person shall be deemed to be interested in land who would be entitled to claim an interest in compensation if the land or any rights in or over such land were acquired under this Act."

Note 3. The Coal Controller, 1, Council House Street, Calcutta, 700 001, has been appointed by the Central Government as the competent authority under section 3 of the said Act, vide Notification Number S.O. 905, dated the 20th March, 1987, published in Part II, Section 3, Sub-Section (ii) of the Gazette of India, dated the 4th April, 1987 at pages 1397 to 1400.

#### SCHEDULE AMRITDHARA AND JHYRIA BLOCKS HASDEO AREA

District - Shahdol and Surguja (Madhya Pradesh)

Plan Number SECL/BSP/GM/Plg./Land/119  
dated the 6th February, 1993  
(Showing intention to acquire lands)

#### MINING RIGHTS Revenue Land

Sl. Village/Mouja No.	Settlement Number	Tehsil	District	Area in Hectares	Remarks
1. Dumarkachhar	404	Kotma	Shahdol	90.505	Part
2. Malga	826	Kotma	Shahdol	1773.289	Part
3. Bhatisarai	790	Kotma	Shahdol	943.809	Full
4. Tanki	376	Kotma	Shahdol	926.929	Full
Total				3734.532	Hectares (approximately)

## Forest Land

Sl. No.	Name of Forest	Range	Tehsil	District	Area in hectares	Remarks
1.	Kora (Reserved Forest)	Chirimiri	Manendragarh	Surguja	217.535	Part
		Total :			217.535 hectares (approximately)	
		GRAND TOTAL			3952.067 hectares (approximately) or 9765.56 acres (approximately)	

1. Plot numbers to be acquired in village Dumarkachhar (Part) :

103 to 105,  
197 and  
265.

2. Plot numbers to be acquired in village Malga (Part) : 1 to 211, 248(Part), 264(Part), 369/2469 214(Part), 252(Part), 265 (Part), 505/2470; 215(Part), 253(Part), 266 to 2462, 749/2471, 238(Part), 254, 174/2463, 1344/2472, 239(Part), 255(Part), 46/2464, 1716/2473, 240, 256(Part), 156/2465, 2272/2474, 241(Part), 261(Part), 172/2466, 2059/2475, 246(Part), 262, 173/2467, and 247(Part), 263(Part), 316/2468, 2059/2476.

3. Plot numbers to be acquired in village Bhatisarai (Full) : 1 to 656, 362/660, 375/664, 8/657, 201/611 361/665, 65/658, 201/622, and 352/659, 520/663, 361/666.

4. Plot numbers to be acquired in village Tanki (Full) : 1 to 451.

Compartment numbers to be acquired in Kora Reserved Forest (Part) : 617 (Part), 618(Part), and 619 (Part).

## Boundary Description :

A—B—C—C1—D

Line starts from point 'A' on trijunction point of villages Malga, Dhummatola, Bhalwahi and passes along the common boundary of villages Malga-Bhalwahi, Malga-Bartarai, Malga-Awadand and meets on the trijunction point of village Malga, Awadand and Fulkona at point 'D'.

D—E—E1—F

Line passes along the common boundary of village Malga-Fulkona, then partly along the common boundary of villages Dumarkachhar-Fulkona then through village Dumarkachhar along the northern boundary of plot numbers 103, 104, 105, 197, 265 and meets at point 'F'.

F-F1-F2-F3-G-G1-G2-H.

Line passes through village Dumarkachhar along the eastern boundary of plot number 265, then enters in village Malga and passes along the eastern boundary of plot number 207, northern boundary of plot numbers 211, 214, then through plot numbers 214, 215, then northern boundary of numbers 266, 265 and passes through plot numbers 265, 264, 263, 261 and meets of the common boundary of villages Malga and Bhatisarai point 'H'.

H-H1—H2—H3—I

Line passes through village Malga through plot numbers 261, 255, 256, 253, 252, 248, 247, 246, 241, 238, 239 and meets of the common boundary of District—Shahdol—Surguja at point 'I'.

I—J

Line passes partly along the common boundary of District Shahdol Surguja, then enters in Surguja District and passes through forest compartment numbers 617, 618, 619 and meets at point 'J'.

J—K

Line passes along the common boundary of District Shahdol—Surguja and meets at point 'K'.

K—L

Line passes along the common boundary of District Shahdol—Bilaspur and meets at point 'L'.

L—M—N—A

Line passes along the common boundary of villages Tanki-Pandripani, Bhatisarai—Pandripani, Malga—Pandripani, Malga—Dhummatola and meets at the starting point at 'A'.



स्वास्थ्य और परिवार कल्याण मंत्रालय

नई दिल्ली, 28 अप्रैल, 1993

का.आ. 978—केन्द्रीय सरकार, होम्योपैथी केन्द्रीय परिषद् अधिनियम, 1973 (1973 का 59) की धारा 13 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय होम्योपैथी परिषद् से परामर्श करने के पश्चात् उक्त अधिनियम को द्वितीय अनुसूची में निम्नलिखित और संशोधन करती है, अर्थात् :—

उक्त अनुसूची में "उत्तर प्रदेश" शीर्षक के नीचे क्रम संख्यांक 15 क और उसमें संबंधित प्रविष्टियों के पश्चात् निम्नलिखित क्रम संख्यांक और प्रविष्टियाँ अङ्गस्थापित की जाएगी, अर्थात् :—

1	2	3	4
"15B आगरा विश्वविद्यालय आगरा	बैचलर इन होम्योपैथिक मेडिसिन एण्ड सर्जरी	बी. एच. एम.एस.	1986 से 1992 तक"

[सं० व० 27021/6/82 होम्यो०]

आई० एम० बिप्ट, संयुक्त सचिव

नोट :— मुख्य अधिसूचना भारत के राजपत्र, प्रकाशक भाग-II, खंड-1 में 20 दिसम्बर, 1973 की का. आ. सं. 76 में प्रकाशित की गई और उसमें बाद में भारत के राजपत्र के भाग-II, खंड-3, उपखंड (ii) के बहुत निम्नलिखित संशोधन किए गए—

का. आ.	3325	दिनांक	4-11-1978
का. आ.	1517	दिनांक	26-2-1983
का. आ.	1481	दिनांक	12-3-1983
का. आ.	3099	दिनांक	21-6-1985
का. आ.	2048	दिनांक	24-3-1986
का. आ.	2270	दिनांक	24-5-1986
का. आ.	2449	दिनांक	1-8-1990
का. आ.	2501	दिनांक	1-8-1990
का. आ.	2502	दिनांक	21-8-1990
का. आ.	710	दिनांक	20-2-1992
का. आ.	891	दिनांक	5-3-1992 और
का. आ.	1210	दिनांक	23-4-1992

## MINISTRY OF HEALTH AND FAMILY WELFARE

New Delhi, the 28th April, 1993

S.O. 978—In exercise of the powers conferred by sub-section (2) of Section 13 of the Homoeopathy Central Council Act, 1973 (59 of 1973) the Central Government after consulting the Central Council of Homoeopathy hereby makes the following further amendment in the Second Schedule to the said Act, namely :—

In the said Schedule, under the head 'UTTAR PRADESH' after serial number 15-A, and the entries relating thereto, the following serial number and entries shall be inserted namely :—

1	2	3	4
"15B Agra University, Agra	Bachelor in Homoeopathic Medicine and Surgery	B.H.M.S.	from 1986 to 1992"

[No. V-27021/6/82-Homoeo]

I. S. BIST, Jt. Secy.

1000 GI/93—8

Foot Note—The Principal Notification was published in No. S.O. 76 dated the 20th December, 1973 in Gazette of India—Extraordinary Part II Section 1 and subsequently amended vide

S.O. 3325 dated 4-11-1978.  
S.O. 1517 dated 26-2-1983,  
S.O. 1481 dated 12-3-1983,  
S.O. 3099 dated 21-6-1985,  
S.O. 2048 dated 24-3-1986,  
S.O. 2270 dated 24-5-1986  
S.O. 2449 dated 1-8-1990,  
S.O. 2501 dated 1-8-1990,  
S.O. 2502 dated 21-8-1990,  
S.O. 710 dated 20-2-1992,  
S.O. 891 dated 5-3-1992, and  
S.O. 1210 dated 23-4-1992.

published in the Gazette of India Part II, Section 3, Sub-Section (ii).

## शहरी विकास मंत्रालय

(दिल्ली प्रभाग)

नई दिल्ली, 28 अप्रैल, 1993

का.आ. 979.—यतः निम्नांकित क्षेत्रों के बारे में कुछ संशोधन, जिन्हें केन्द्रीय सरकार अधोवर्णित क्षेत्रों के बारे में दिल्ली वृहद योजना/क्षेत्रीय विकास योजना में प्रस्तावित करती है तथा जिसे दिल्ली विकास अधिनियम, 1957 (1957 का 61) की धारा-44 के प्रावधानों के अनुसार दिनांक 27-06-92 के नोटिस संख्या-एफ. 20(12)/91-एम.पी. द्वारा प्रकाशित किए गए थे जिसमें उक्त अधिनियम की धारा 11-क की उपधारा (3) में अपेक्षित आपत्तियों/सुझाव उक्त नोटिस की तारीख के 30 दिन की अवधि में प्रामाणित किए गए थे।

और यतः उक्त प्रस्तावित संशोधनों के बारे में कोई आपत्तियाँ और सुझाव प्राप्त नहीं हुए हैं।

और यतः केन्द्रीय सरकार ने दिल्ली वृहद योजना/क्षेत्रीय विकास योजना में संशोधन करने का निर्णय किया है।

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 11-क की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत के राजपत्र में इस अधिसूचना के प्रकाशन की तारीख से दिल्ली की उक्त वृहद योजना में एतद् द्वारा निम्नलिखित संशोधन करती है।

संशोधन :

जोन ई-13 (भाग) (मंडावली-फजलपुर) में पड़ने वाले और पूर्व में गाजीपुर नाले/रोड नं. 56 से, दक्षिण में राष्ट्रीय राजमार्ग नं. 24 से, पश्चिम में 45 मीटर चौड़ी मड़क से और उत्तर में आवासीय सहकारी समूह प्रावास समितियों (मंडावली-फजलपुर एक्सटेंशन) से घिरे हुए लगभग 20 हेक्टेयर (49.4 एकड़) क्षेत्र के भूमि उपयोग को (ट्रक टर्मिनल एवं इटीग्रेटेड फ्रेट कॉम्प्लेक्स) से"

1. सार्वजनिक एवं अर्द्ध-सार्वजनिक सुविधाएं
10. 32 हेक्टेयर व्यावसायिक
4. 80 हेक्टेयर

3. मनोरंजनार्थक	2.73 हेक्टेयर
4. परिवहन (सड़क)	2.15 हेक्टेयर
कुल	20.00 हेक्टेयर

में परिवर्तित करने का प्रस्ताव है।

[सं. के-13011/5/92-डीडीआईडी]

एस.सी. सागर, अवर सचिव

#### MINISTRY OF URBAN DEVELOPMENT

(Delhi Division)

New Delhi, 28th April, 1993

S.O. 979.—Whereas certain modifications, which the Central Government propose to make in the Master Plan for Delhi/Zonal Development Plan regarding the areas mentioned hereunder were published with Notice No. F. 20(12)/91-MP dated 27-6-92 in accordance with the provisions of Section 44 of the Delhi Development Act, 1957 (61 of 1957) inviting objections/suggestions as required by sub-section (3) of Section 11-A of the said Act, within thirty days from the date of their said Notice ;

And whereas no objections/suggestions have been received with regard to the said proposed modification ;

And whereas the Central Government have decided to modify the Master Plan for Delhi/Zonal Development Plan ;

Now, therefore, in exercise of the powers conferred by sub-section (2) of Section 11-A of the said Act, the Central Government hereby makes the following modification in the said Master Plan for Delhi w.e.f. the date of publication of this Notification in the Gazette of India.

#### MODIFICATION :

"The land use of an area measuring about 20 hect. (49.4 acres) falling in Zone B-13 (Part) (Mandawali-Fazalpur) and bounded by Gazipur Drain/road No. 58 in the East, National Highway No. 24 in the South 45 mtrs. wide road in the West, and residential cooperative group housing societies (Mandawali-Fazalpur Extension) in the North, is proposed to be changed from "Transportation (Truck Terminal and Integrated Freight Complex) to

(i) Public and semi-public facilities	10.32 hect
(ii) Commercial	4.80 hect.
(iii) Recreational	2.73 hect.
(iv) Transportation (Roads)	2.15 hect.
	20.00 hect.

[No. K-13011/5/92-DDIB]

S. C. SAGAR, Under Secy.

#### संचार मंत्रालय

(दूर संचार विभाग)

नई दिल्ली, 28 अप्रैल, 1993

का.भा. 930.—केन्द्रीय सरकार, सरकारी स्थान (अप्राधिकृत अधिभोगियों का बेखली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के तत्कालीन संचार मंत्रालय (डाक और तार बोर्ड) की अधिसूचना सं. का.भा. 1576 तारीख, 12 मई, 1977 में, जो भारत के राजपत्र, भाग 2, खंड 3 उपखंड (ii) के तारीख 28 मई, 1977 के पृष्ठ 1916 से 1918 तक में प्रकाशित हुई थी, निम्नलिखित और संशोधन करती है, अर्थात् —

उक्त अधिसूचना के नीचे की सारणी में:—

(क) क्रम संख्यांक 25, 43, 67 और 69 और उनसे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित क्रम संख्यांक और प्रविष्टियां क्रमशः रखी जाएंगी, अर्थात्:—

क्रम सं.	अधिकारी पदाभिधान	सरकारी स्थान
1	2	3
25.	सहायक महा प्रबंधक दूर संचार (फोन इंजीनियरी) मुख्य महा प्रबंधक दूर संचार का कार्यालय, उत्तर प्रदेश सफिल, लखनऊ।	मुख्य महाप्रबंधक, उत्तर प्रदेश दूरसंचार सफिल के प्रशासनिक नियंत्रण के अधीन स्थान जो उत्तर प्रदेश राज्य के लखनऊ राजस्व जिले में स्थित है।
43.	सहायक महा प्रबंधक (प्रशासन), महा प्रबंधक दूरसंचार का कार्यालय, कानपुर।	महा प्रबंधक, दूरसंचार कानपुर के प्रशासनिक नियंत्रण के अधीन स्थान जो उत्तर प्रदेश राज्य में कानपुर, कानपुर देहात और उन्नाव राजस्व जिलों में है।
67.	प्रभागीय इंजीनियर फोन (योजना), दूर संचार जिला प्रबंधक का कार्यालय, आगरा।	दूर संचार जिला प्रबंधक, आगरा के प्रशासनिक नियंत्रण के अधीन स्थान जो उत्तर प्रदेश राज्य में आगरा और फिरोजाबाद राजस्व जिलों में है।
69.	प्रभागीय इंजीनियर फोन (प्रशासन), दूर संचार जिला प्रबंधक का कार्यालय, वाराणसी।	दूर संचार जिला प्रबंधक, वाराणसी के प्रशासनिक नियंत्रण के अधीन स्थान जो उत्तर प्रदेश राज्य के वाराणसी राजस्व जिले में है।

1

2

3

ख. क्रम संख्यांक "44" और उसमें संबंधित प्रविष्टियों का लोप किया जाएगा।

ग. क्रम संख्यांक 80 और उसमें संबंधित प्रविष्टियों के पश्चात् निम्नलिखित क्रम संख्यांक और उसमें संबंधित प्रविष्टियां अतःस्थापित की जाएंगी, अर्थात् :—

- |   |  |
|---|--|
| 81. प्रभागीय इंजीनियर (प्रशासन) महा-प्रबंधक दूर संचार का कार्यालय गाजियाबाद                   | महा प्रबंधक दूर संचार, गाजियाबाद के प्रशासनिक नियंत्रण के अधीन स्थान जो उत्तर प्रदेश राज्य में बुलंदशहर और गाजियाबाद राजस्व जिलों में है।  |
| 82. सहायक निदेशक, दूर संचार (अनुरक्षण) महाप्रबंधक दूर संचार का कार्यालय, बरेली।               | महाप्रबंधक, दूर संचार बरेली के प्रशासनिक नियंत्रण के अधीन स्थान जो उत्तर प्रदेश राज्य में बरेली, रामपुर, पीलीभीत, बदायूं, अलीगढ़, ननोताल, अलमोड़ा, पिथौरागढ़, मुरादाबाद और बिजनौर राजस्व जिलों में हैं।  |
| 83. सहायक निदेशक दूरसंचार (योजना), महाप्रबंधक दूरसंचार का कार्यालय, वाराणसी।                  | महाप्रबंधक दूर संचार, वाराणसी के प्रशासनिक नियंत्रण के अधीन स्थान जो उत्तर प्रदेश राज्य में गोंडा, बहराइच, बस्ती, सिधार्थ नगर, गोरखपुर, महाराज गंज, आजमगढ़, देवरिया, मऊनाथ भंजन, बलिया, मिर्जापुर, सेलमढ़, गाजीपुर, जौनपुर, सुल्तानपुर, प्रतापगढ़ रायबरेली, फतेहपुर राजस्व जिलों में है। |
| 84. सहायक निदेशक दूर संचार (प्रचालन) निदेशक दूरसंचार (पश्चिमी क्षेत्र) का कार्यालय, देहरादून। | निदेशक, दूर संचार (पश्चिमी क्षेत्र) देहरादून के प्रशासनिक नियंत्रण के अधीन स्थान जो उत्तर प्रदेश राज्य में देहरादून मुजफ्फरनगर, सहारनपुर, हरिद्वार, पौड़ी, देहरी, चमौली और उत्तरकाशी राजस्व जिलों में है।  |
| 85. सहायक निदेशक दूर संचार (प्रशा.) निदेशक दूर संचार (केन्द्रीय क्षेत्र) का कार्यालय, लखनऊ।   | निदेशक दूर संचार (केन्द्रीय क्षेत्र) लखनऊ के प्रशासनिक नियंत्रण के अधीन स्थान जो उत्तर प्रदेश राज्य में इटावा, फर्रुखाबाद, मैनपुरी, फैजाबाद, बाराबंकी, मथुरा, एटा, झांसी, ललितपुर हमीरपुर, जालौन, बांदा, सीतापुर, लखीमपुर, हरदोई और शाहजहांपुर राजस्व जिलों में है।                      |
| 86. प्रभागीय इंजीनियर फोन (योजना) दूर संचार जिला प्रबंधक का कार्यालय, इलाहाबाद।               | दूरसंचार जिला प्रबंधक, इलाहाबाद के प्रशासनिक नियंत्रण के अधीन स्थान जो उत्तर प्रदेश राज्य में इलाहाबाद राजस्व जिला में है।   |
| 87. सहायक इंजीनियर (प्रशासन) दूरसंचार जिला प्रबंधक का कार्यालय, मेरठ।                         | दूरसंचार जिला प्रबंधक मेरठ के प्रशासनिक नियंत्रण के अधीन स्थान जो उत्तर प्रदेश राज्य में मेरठ राजस्व जिला में है।  |

[फा. सं. 4-56/92/एन.वी.(टी)]

जे.के. छाबड़ा, उप महा निदेशक (एस.आर.)

फुटनोट :—इसकी मुख्य अधिसूचना दिनांक 12-5-77 की का.आ. संख्या 1576 द्वारा प्रकाशित की गई तथा इसमें निम्नलिखित द्वारा संशोधन किए गए :—

- (i) दिनांक 30-10-78 का का.आ. संख्या 3574
- (ii) दिनांक 14-11-83 का का.आ. संख्या 4620
- (iii) दिनांक 19-10-87 का का.आ. संख्या 3017
- (iv) दिनांक 26-10-92 का का.आ. संख्या 2853

## MINISTRY OF COMMUNICATIONS

(Department of Telecommunications)

New Delhi, the 28th April, 1993

S.O. 980 :—In exercise of the Powers conferred by section 3 of the Public Premises (Eviction of Unauthorised occupants) Act, 1971 (40 of 1971), the Central Government hereby makes the following further amendments in the Notification of the Government of India in the erstwhile Ministry of Communications (Posts and Telegraphs Board), No. S. O. 1576 dated 12th May, 1977 published at pages 1916 to 1921 of the Gazette of India Part II Section 3, Sub-Section (ii) dated the 28th May, 1977, namely :—

In the Table below of the said Notification :—

(a) For serial No. 25, 43, 67 and 69 and the entries relating thereto, the following serial Nos. and entries shall respectively be substituted, namely :—

Sl. No.	Designation of the Officer	Public Premises
1	2	3
25	Assistant General Manager (Telecom (Phones Engineering), Office of the Chief General Manager Telecom, Uttar Pradesh Circle, Lucknow.	Premises under the Administrative control of Chief General Manager Uttar Pradesh, Telecom, Circle situated in the Revenue District of Lucknow in the state of Uttar Pradesh.
43	Assistant General Manager (Administration), Office of the Central Manager Telecom Kanpur.	Premises under the Administrative control of General Manager Telecom, Kanpur in the Revenue Districts of Kanpur, Kanpur Dehat and Unnao in the state of Uttar Pradesh.
67	Divisional Engineer Phones (Planning) Office of Telecom District Manager, Agra.	Premises under the Administrative Control of Telecom. District Manager Agra in Revenue District of Agra and Firozabad in the state of Uttar Pradesh.
68	Divisional Engineer Phones (Administration), Office of Telecom District Manager Varanasi.	Premises under the Administrative control of Telecom. District Manager, Varanasi in Revenue District of Varanasi in the state of Uttar Pradesh.
(b) Serial No. "44" and the entries relating thereto shall be omitted.		
(c) After serial number 80 and the entries relating thereto, the following serial numbers and entries relating thereto shall be inserted, namely :—		
81	Divisional Engineer (Administration) Office of General Manager Telecom, Ghaziabad.	Premises under the Administrative control of General Manager Telecom, Ghaziabad in Bulandshar and Ghaziabad Revenue Districts in the State of Uttar Pradesh.
82	Assistant Director Telecom (Maintenance), Office of General Manager Telecom, Bareilly.	Premises under the Administrative control of General Manager Telecom Bareilly in Bareilly, Rampu Pilibhit, Baduan, Aligarh, Nainital, Almora, Pithoragarh, Moradabad and Bijnore Revenue Districts in the state of Uttar Pradesh.
83	Assistant Director Telecom (Planning) Office of General Manager Telecom, Varanasi.	Premises under the Administrative control of General Manager Telecom, Varanasi in Gonda, Bahraich, Basti, Siddarth Nagar, Gorakhpur, Maharaj Ganj, Azamgarh, Deoria Maunath Bhanjan, Ballia, Mirzapur, Sonbhadra, Ghazipur, Jaunpur, Sultanpur, Pratapgarh, Rai Bareilly and Fatehpur Revenue Districts in the state of Uttar Pradesh.

1	2	3
84	Assistant Director Telecom (Operations), Office of the Director Telecom, Western Area, Dehradun.	Premises under the Administrative Control of Director Telecom, Western Area, Dehradun in Dehradun Muzaffar Nagar, Saharanpur, Haridwar, Pauri, Tehri, Chamoli and Uttar Kashi Revenue Districts in the state of Uttar Pradesh.
85	Assistant Director Telecom (Administration), Office of the Director Telecom (Central Area), Lucknow.	Premises under the Administrative control of Director Telecom (Central Area) Lucknow, Etawah, Farukhabad, Mainpuri, Faizabad, Barabanki, Mathura, Etah, Jhansi, Lalitpur, Hamirpur, Jalaun, Banda, Sitapur, Lakhimpur, Hardoi and Sahajanpur Revenue Districts in the state of Uttar Pradesh.
86	Divisional Engineer Phones (Planning), Office of Telecom District Manager, Allahabad.	Premises under the Administrative control of Telecom. District Manager, Allahabad in Revenue District of Allahabad in the state of Uttar Pradesh.
87	Assistant Engineer (Administration) Office of Telecom. District Manager, Meerut.	Premises under the Administrative control of Telecom. District Manager, Meerut in the Revenue District of Meerut in the state of Uttar Pradesh.

[No. 4-56/92N-BT]

J.K. CHHABRA, Dy. Director General (SR)

Foot Note : The principal Notification was published vide S.O. No. 1576 dated 12-5-77 subsequently amended vide :

- (i) S.O. No. 3574 dated 30-10-78.
- (ii) S.O. No. 4620 dated 14-11-83.
- (iii) S.O. No. 3017 dated 19-10-87
- (iv) S.O. No. 2853 dated 26-10-92.

## श्रम मंत्रालय

नई दिल्ली, 21 अप्रैल, 1993

का.आ. 981,—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार आर्किओलोजिकल सर्वे आफ इंडिया, गोआ के प्रबन्धन के संवद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण बंगलोर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-4-93 को प्राप्त हुआ था।

[स. एल-42012/108/89-आई.आर.(डी.यू.) (पार्ट)]  
के.बी.बी. उषाणी, डैस्क अधिकारी

## MINISTRY OF LABOUR

New Delhi, the 21st April, 1993

S.O. 981.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Bangalore as shown in the Annexure, in the industrial dispute between the employers in relation to

the management of A.S.I., Museums, Velhe, Goa and their workmen, which was received by the Central Government on 20-4-1993.

[No. L-42012/108/89-IR (DU) (Pt.)]

K. V. B. UNNY, Desk Office

## ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL  
TRIBUNAL-CUM-LABOUR COURT, BANGALORE

Dated this 12th day of April, 1993

PRESENT :

Sr. M. B. Vishwanath, B.Sc., B.L., Presiding Officer.  
Central Reference No. 83/89

I PARTY :

Sr. S. Chandran,  
S/o Swamynathan,  
r/o Hampi Power House,  
Kamalapuram,  
T.M.C. Hospet Taluk,  
Bellary Dist. 583101.

V/s.

II PARTY :

1. The Dy. Superintending  
Archaeologist,  
Museums, A.S.I.  
Velhe, Goa-412212.

2. The Asst. Supt.  
Archaeologist for Museums,  
A.S.I. Hampi,  
Kamalapur-583221.

#### AWARD

In this reference made by the Hon'ble Central Government by its Order No. L-42012/108/89-IR (DU) dated 15-11-1989 under Section 10(2-A)(1)(d) of I. D. Act the point for determination as per schedule to reference is :

"Whether the action of the Archaeological Survey of India, Museums, Velhe, Goa, in terminating the services of Sri S. Chandran, Casual Labourer is justified? If not, to what relief the workman is entitled to?"

2. It is contended by the I party in his claim statement as :

I party workman was engaged by the II party to work as casual labourer on 1-5-87 on a monthly salary of Rs. 372.00. The I party workman has worked upto 31-7-88 for 457 days. The I party has worked more than 240 days continuously as a casual labourer. On 1-8-88 the II member of the II party told the I party workman that his services were no more necessary and there was no vacancy. He promised to take I party on duty when there would be a vacancy. But he has failed to keep the promise. The act of the II party is illegal. The II party has discharged the services of the I party without any reason, though the I party has worked for more than 240 days continuously. The I party workman is entitled to reinstatement. The II party should be directed to confirm the services of the I party after reinstatement. The I party is entitled to back wages from 1-8-1988.

3. In the counter statement (written statement) it is contended :—

The I party was recruited by the II member of the II party as casual labourer. The work assigned to I party was never of permanent nature. The I party was not recruited against any vacancy. The I party workman was taken as a casual labourer only to tide over exigencies. The I party has worked only for 236 days in 1987 and for 204 days in 1988. There was a break of 6 days from 18-9-87 to 23-9-87. The I party was not given any promise. On 1-8-88 the I party informed the II member of the II party that he has been offered better payment in the office of the Conservator Assistant, Archaeological Survey, Kamalapur. The I party did not turn up for work from 2-8-88. The II party is not an industry. So the reference is bad. The I party in any case is not entitled for reinstatement and back wages.

4. In the order sheet dated 16-7-90 it is stated that separate issues are not required since the point in dispute was covered by the schedule to reference.

5. On behalf of the II party MW-1 Hanumanthappa, Asst. Superintendent, Archaeological Museums has been examined. On behalf of the I party he has got himself examined and closed his case.

6. At the outset a preliminary point has to be disposed off. It has been stated in the written statement that the II party is not an industry. This stand appears to have been taken just for the heck of it. This point was not pressed seriously at the time of arguments. From the facts and circumstances of this case it is obvious that the II party carries on systematic activities with the cooperation of its workmen for the production, supply or services with a view to satisfy human wants or wishes. The Learned counsel for the II party did not place before me any authority of our Hon'ble High Court or Supreme Court wherein it has been laid down that the Archaeological department is not an industry.

7. MW-1 Hanumanthappa, Asst. Supdt. Archaeological Museums, Kamalapur has stated in his evidence that I party

voluntarily discontinued from coming to duty stating that he had other assignment in other department. MW-1 has not stated when the I party workman stated this and under what circumstances. The say of MW-1 is vague. MW-1 has produced Ex. M-1 to show that the I party workman has worked for 124 days in the office of the Conservator Assistant, Archaeological Survey of India from 2-8-88 to 11-1-89. The I party workman has stated in his evidence that the II party terminated his services w.e.f. 1-8-88 orally. He has stated that they told him orally that there was no work and he (I party) would be taken back on duty 3 months later. When I party workman was working regularly in the II party, I do not think he would have left voluntarily and gone to work in some other office. Ex. W-1 clearly shows that the Asst. Superintendent Archaeologist for Museums of II party has given the I party a certificate that the I party workman was working as a casual labourer from 1-5-87. It is reasonable to hold that when I party was working since a long time in the II party, he would not have voluntarily left the services of the II party unless he was told orally by the II party that there was no work. The say of I party workman looks probable and I accept it. I reject the evidence of MW-1 that the I party voluntarily discontinued stating that he has other assignment in other office.

8. The I party workman WW-1 has stated in his evidence that he has worked as casual labourer from 1-5-87 to 31-7-88 continuously for 457 days including weekly off. The officer MW-1 stated on cross-examination that the I party workman has worked for 440 days from 1-5-87 to 1-8-88. He has volunteered "not continuously". He has not stated in his evidence before this Tribunal when there was break and for what period. Thus the evidence of MW-1 is unsatisfactory and it is not established that there was break for 7 days in the service of I party workman. What is stated in para 6 of the written statement is that there was a break of 6 days from 18-9-87 to 23-9-87. Ex. M-2 is the book containing extract of the muster roll relating to I party. I have carefully looked into the entry relating to I party workman from 18-9-87 to 23-9-87. It should be borne in mind that for this period the I party workman is not marked absent. A thick line is drawn for this period against the name of the I party. When I party workman is not shown as absent for this period the only inference possible is that the I party workman was not given any work though he reported for duty. It has been laid down by our Hon'ble High Court in I.L.R. 1986 Karnataka 769 (Mukund v/s. Managing Director, K.S.R.T.C.) at page 778 Para 6 (See also 1980 Lab. I.C. 508) that the days on which the workman had reported for duty but not taken to work on account of the non-availability of work should be taken into consideration for calculating continuous service. So my conclusion is that even if the entries in Ex. M-2 are relied on the I party has worked continuously for more than 240 days in a year.

9. In para 6 of the written statement it is clearly stated that I party workman worked in 1987 for 236 days, with a break of 6 days from 18-9-87 to 23-9-87. It is further stated that in 1988 the I party workman worked for 204 days. Now it is simple Arithmetic.

10. Let me believe the version of the II party that there was a break of 6 days from 18-9-87 to 23-9-87 in 1987. From 24-9-87, I party has obviously worked upto 31-12-87. This comes to 97 days. Even according to II party I party has worked continuously from 24-9-87 for 97 days in 1987. Admittedly he has worked for 204 days in 1988, obviously from 1-1-88. So 97+204 comes to 301 days. In other words the I party workman has worked for more than 240 days continuously in a year.

11. When the I party workman has worked for more than 240 days continuously in a year it was obligatory on the part of the II party to follow the provisions of Section 25-F of I. D. Act. The termination of the services of the I party workman amounts to retrenchment because he had worked for 240 days. The II party has not complied with the conditions precedent to retrenchment before retrenching the I party. The I party workman is therefore entitled to reinstatement.

12. For the aforesaid reasons, in any view of the matter, I hold that the action of the Archaeological Survey of India in terminating the services of the I party is not justified. The I party is entitled to reinstatement.

## ORDER

The oral order terminating the services of the I party workman is set aside. The II party 2 and 2(a) viz., The Dy. Superintending Archaeologist, Museums A.S.I. Velhe, Goa and The Asst. Superintending, Archaeologist for Museums, A.S.I. Hampi, Kamalapur are directed to reinstate the I party workman forthwith with continuity of service. The I party workman is entitled to 50 per cent of the back wages. Award passed as stated herein accepting the reference.

Submit to Government.

(Dictated to Stenographer, typed by him, corrected, signed by me on this 12th day of April 1993)

Dated: 12-4-1993

M. B. VISHWANATH, Presiding Officer

नई दिल्ली, 21 अप्रैल, 1993

का.आ. 982 — औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार उत्तर रेलवे लखनऊ के प्रबन्धन के संबंध में निम्नलिखित और उनके कर्मचारों के बीच, अनुबंध में निम्नलिखित विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कानपुर के (चपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-4-93 को प्राप्त हुआ था।

[सं. एल-41012/25/87-डी. 2(बी) (पार्ट )]

के.वी.बी. उज्जनी, डेस्क अधिकारी

New Delhi, the 21st April, 1993

S.O. 982.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Northern Railway, Lucknow and their workmen, which was received by the Central Government on 21-4-93.

[No. L-41012/25/87-D.II (B)(Pt.)]

K. V. B. UNNY, Desk Officer

## ANNEXURE

BEFORE SHRI ARJAN DEV, PRESIDING OFFICER,  
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL  
CUM-LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 31 of 1988

In the matter of dispute between :

The Divisional Secretary,  
Uttar Railway Karamchari Union,  
C/O Manoram Awasthi 39-II J,  
Multistoreyed Railway Colony,  
Charbagh Lucknow.

## AND

The Divisional Railway Manager,  
Northern Railway,  
Hazratganj,  
Lucknow.

## AWARD

1. The Central Government, Ministry of Labour, vide its notification No. L-41012/25/87-D.II(B), dated 16th March, 1988 has referred the following dispute for adjudication to this Tribunal :

Whether the action of the Divisional Railway Manager Northern Railway Lucknow in dismissing Sh. Sharafraj Ali Khan with effect from 27-3-1964 from service is justified ? If not, to what relief the workman concerned is entitled to and from what date ?

2. The industrial dispute on behalf of the workman has been raised by Uttar Railway Karamchari Union (hereinafter referred to as Union). The case of the Union is that the workman on being selected by Railway Service Commission was posted as clerk under the then Divisional Superintendent NR Jodhpur on 27-3-53. In 1955 he was transferred to Lucknow Division where while working as a clerk in the Works Section of Engineering Department he was confirmed on 22-6-56. The workman fell ill on 19-7-63 and submitted a Private Medical Certificate upto 30-9-63, in the first instance. Due to complication in his sickness, he further submitted application for sanction of leave without pay on medical grounds. He submitted sick reports on 30-9-63, 4-1-64, 28-1-64 and 2-2-64. On 15-7-64, when he submitted an application with a certificate of fitness from a medical practitioner in order to join duty, he learnt that he had been removed from service w.e.f. 27-3-64. During his absence the Railway Administration started an inquiry some time in the beginning of Jan. 1964. Through the aforesaid letter the workman prayed that the inquiry be postponed till he was recovered. The workman filed an appeal before the C.P.O. Northern Railway, New Delhi on 29-8-64 but the same was rejected by means of a non speaking order. Thereafter he filed to review petition before the General Manager but the same too was rejected. The workman continued submitted several representations to the next higher authorities upto 1974. Vide his letter dt. 18-5-74, the D.S. Northern Railway Lucknow inquired from the workman the date of his birth for the purposes of considering him for employment. The D.P.O. Lucknow recommended his case to C.P.O. New Delhi for considering his case of employment. Thereafter the railway management did not informed him about the result. In view of it the workman remained representing his petitions to higher authorities upto 20-12-84 and when nothing happened he raised the industrial dispute through the Union. The Union alleges that the workman had to suffer due to ignorance of law and Railway Rules by the Railway Authorities. The departmental inquiry could not have been started and completed exparte when the workman had in fact shown his inability to take part in the inquiry proceedings on medical grounds. Since virtually no opportunity of self defence was provided to the workman, the whole of the disciplinary action taken by the management was ultravires, arbitrary and malicious. The Union has, therefore, prayed that the workman be reinstated with full back wages and all consequential benefits, such as seniority, promotions etc.

3. The management plead that the workman was appointed as clerk on 27-7-53 and not on 27-3-53 as has been alleged in the claim statement. He was transferred to Lucknow division on 20-4-55 and was confirmed as per entries in the service book on 22-6-56. The case being about 24 years old, despite best efforts, only the service book of the workman could be traced out. From the service book it appears that the workman was on unauthorised absence and left the head quarter without permission w.e.f. 29-9-63 and because of it he was removed from service w.e.f. 27-3-64 after making proper inquiries. In the absence of record, at this belated stage it cannot be confirmed whether or not any Private Medical Certificate was received. The then Divisional Superintendent, according to the management, had no powers to change the order of the C.P.O. The management, despite the fact alleged by the Union that in the departmental proceedings decision was taken exparte also plead that the workman applied for reemployment without remuneration through Dy. Minister of Railway on 23-7-74, during the Railway Strike in the year 1974 and it was then that the date of birth was inquired from the workman. But till such time the employment of the workman could be considered the Railway strike was called off. The workman has reopened the case after 24 years having full knowledge that the entire record of his service would be available with the administration. The claim put up by

the Union on behalf of the workman is, therefore, barred by time. The Union in question has got no legal right to raise the industrial dispute. Lastly, it is pleaded that the Tribunal has no jurisdiction to try this case.

4. In the rejoinder the Union pleads that the matter regarding disciplinary action taken by the management against the workman was kept regularly under agitation by the workman through his appeals, revisions and petitions to CPO and General Manager and representations to the Hon'ble Rly. Minister, Hon'ble Prime Minister and His Excellency the President of India upto 20-12-84. The I.D. was raised in the month of February, 1986 and it continued upto 9-1-87 under the conciliation proceedings. Therefore, the plea of non-availability of complete records of the workman is not available to the management.

5. The award in this case was given by me on 28-6-89. Although the case of the workman was exposed by the Union, against the award given by this tribunal, the workman himself filed writ petition no. 9026 of 89 before the Hon'ble High Court of Judicature at Allahabad Lucknow Bench, Lucknow. The Hon'ble High Court vide its order dated 11-7-91 allowed the writ petition, set aside the award given by this Tribunal and remanded the case for adjudicating the reference afresh in the light of the directions given and observations made in the remand order. Subsequently on 12-8-91 another order was passed by the Hon'ble High Court giving directions to the tribunal to dispose of the reference within six months from the date of production of its copy before the Tribunal.

6. The photostat copy of the remand order dt. 11-7-91 alongwith application dt. 29-7-91 of the workman was received in the office of the Tribunal by post on 8-7-91 and the photostat copy of order dt. 12-8-91 of the Hon'ble Court alongwith four other documents including copy of remand order was filed in person by the workman himself on 26-11-91.

7. The copy of order dt. 12-8-91 of the Hon'ble Court was not specifically brought to the notice of the Tribunal until 15-10-92, although in between 26-11-91 and 15-10-92 several dates were fixed and whereas on one such date the workman himself was present and on 2-3 dates Sri B. D. Tewari, the authorised representative for the Union was present. Further whereas the nature of remand order was described by the workman in his application dt. 26-11-91, the nature of order dated 12-8-91 was not described. Daily documents are filed by the parties with their pleadings and during the course of arguments. It is common knowledge that the documents so filed are not examined by the court on the day they are filed. If a party filing the documents requires immediate attention of the court to any one or more of the documents, the party filing it specifically invites the attention of the court to such document or documents. It was on 15-10-92, that for the first time his order dated 12-8-91 of the Hon'ble Court was brought to the notice of the Tribunal specifically by Sri B. D. Tewari with reference to workman's application dt. 26-11-91.

8. In support of its case, the Union filed the affidavit of the workman and a number of documents and, on the other hand, the management in support of their case, filed the affidavit of Sri Manoj Kumar Senior clerk of the office of D.R.M. Lucknow, and a few documents. However, after the order of remand dt. 11-7-91, in which are given an opportunity to the parties to place additional pleadings and evidence before the Tribunal in support of their respective cases the parties despite seeking time neither filed any additional pleadings nor adduced any further evidence. On 15-10-92 on the oral prayer of the auth. representatives for the Union, time till 22-10-92, was given for filing additional claim statement. No additional claim statement was filed by the Union despite seeking of time and giving of time by Tribunal till 5-1-93. On 5-1-93, time till 20-1-93 was given to the management for filing additional written statement, if any. When even the management did not file any additional written statement, time till 2-2-93 was given to the

parties for filing of affidavit evidence but the parties despite seeking of time by the Union did not file any further affidavit evidence in support of their respective cases. On 24-3-93, it was stated by the parties auth. representatives, namely S/Sri B. D. Tewari for the Union and Sri B. P. S. Chauhan, for the management that the parties had not to adduce any further evidence and that they would rely on the evidence which was already on record. In this connection I may state here that vide my order dt. 2-2-93, in view of the observations made by the Hon'ble Court, the management was ordered to produce the personal file of the workman and also relevant rules regarding preservation of records of Disciplinary Proceedings. On 24-3-93, with the consent of the auth. representatives of the parties 31-3-93 was fixed for hearing arguments at Camp Allahabad with a fresh directions to the management to produce the service book of the workman alongwith rules regarding preservation and weeding out of records. I may state here that on 24-3-93, it was submitted by Sri Chauhan for the management, on the basis of evidence of Sri Manoj Kumar, Senior Clerk, D. R. M. Office, Lucknow that the personal file of the workman was not traceable.

9. On 31-3-93, whereas Sri Tewari, appeared on behalf of the Union, none appeared for the management. Even documents as summoned from the management were not filed by the management. Therefore, the arguments were concluded and the case was reserved for giving of award. If the parties were not to file any additional pleadings and were further not to adduce further evidence and they had made this known to the tribunal soon after the remand order, the reference would have stood decided much earlier.

10. There is no dispute about the fact that the workman was a confirmed railway employee and that he was awarded a penalty of removal from service for his alleged unauthorised absence from duty from 29-9-63 and leaving of station without the permission of the competent authority. The third fact about which there is no dispute has been referred to by the Hon'ble High Court at page 9 of the copy of order of remand in the following words :

It is the admitted case of the parties that the order passed by the punishing authority, appellate authority or the revisional authority were never served to the petitioner. Only the operative portion of the order was communicated to the petitioner. In absence of a copy of the order, it was not possible for him to prefer an effective appeal or revision order of remand in the following words :

For examining the question whether or not the order of punishment passed by the Disciplinary authority and upheld by the appellate authority and revisional authority is legal or not, we will have to look into the record of the disciplinary proceedings. The case set up by the management in the written statement and in the evidence is that except service book no other record pertaining to the workman is traceable. It, therefore, means that even the record of disciplinary proceedings is not with the management.

11. In this case despite the observations made by the Hon'ble Court and despite the passing of orders by the Tribunal subsequent to remand order, the management have failed to file the relevant rules with regard to the life of a particular record. However, at page 8 in the copy of order of remand, the Hon'ble High Court has observed as follows :

During the course of argument the learned counsel on behalf of the Railways produced before this court the relevant order issued by the Railway Board regarding weeding out of the documents which reads as under:—



1	2	3	4
Disciplinary Proceedings	11. Class I 12. Class II 13. Class III 14. Class IV 15. Joint Enquiry.	(a) resulting in imposition of penalties. (b) Resulting in of the accused officials with or without warning.	10 years; or 3 years after the final disposal of appeal or final judgment under the normal course of law which ever is later.

Subject to an authenticated copy of the order regarding imposition of penalty or warning being placed on the (P)/file and a suitable entry being made in the appropriate S/record.

A perusal of the aforesaid order indicate that the weeding out of the record pertaining to disciplinary is subject to an authenticated copy of the order regarding imposition of penalty or warning being placed on the personal file and a suitable entry being made in the appropriate service record.

As observed by me earlier the management claim to be in possession of no other record except the service book of the workman which too has not been produced before the Tribunal despite the order of the Tribunal. This being the case of the management, it follows that even the personal file of the workman as said by the management is not available. The ordinary life of the record of disciplinary proceeding is given 10 years, but where the matter is taken up by an employee in the court of law then the life of the record would be till 3 years after the final disposal of appeal or final judgment under the normal course of law. If the final order is passed 3 years before the upper limit of 10 years the record of disciplinary proceedings would be retained for a period of 10 years. But if the final order is passed, on a date which even shoots the time of 10 years, then the life of such record would be of three years from the date of final order expires.

12. In the instant case, it is the own case of the Union that before 26-9-66, the date on which the workman issued the notice under section 80 C.P.C. to the General Manager Northern Railway, New Delhi through Sri T. B. Khan, Advocate, his appeal and revision had been dismissed. Therefore, in the ordinary course the record of disciplinary proceedings should have been preserved till 1976, but during this period of 10 years the workman did not seek any remedy against the railway administration in any court of law. Therefore, under section 114 of the Evidence Act, it would be presumed that the record of disciplinary proceedings had been weeded out unless the contrary is proved. In its rejoinder the Union has alleged that the industrial dispute in respect of the workman was raised in the month of February, 1986, which continued upto 9-1-87 under conciliation. So we will have to examine the validity of the order of punishment in the light of other material on record and the circumstances of the case.

13. As I have said above, the personal file of the workman has not been produced before the Tribunal by the management. The management have taken the plea that it is not traceable. Now I would like to refer to the following observations made by the Hon'ble High Court at page 9 of the remand order—

Even in absence of the record which has been alleged to be weeded out the Tribunal could have very well perused the authenticated copy of the orders regarding imposition of penalty imposed against the petitioner which must have been placed in the personal file and the service record of the petitioner and could have arrived at a conclusion after perusing the same, as to whether the order indicated that any opportunity was given to the petitioner or not during the course of inquiry or whether he had applied for grant of leave or not. It could have very well summoned the personal file and the service record of the petitioner and could have found as to whether there was any endorsement on the

personal file or service record regarding weeding out of the record or not or whether the orders passed by the disciplinary and appellate and the revisional authority and or its authenticated copies were placed on the personal file and service record of the petitioner or not.

With respect I may state here that it is already in the evidence of the management that no record other than the service book of the workman is available. In para (1) of the written statement it has been stated by the management that after 24 years it has become very difficult to produce the old records. Even when efforts were made to trace out the records pertaining to the workman, only his service book could be traced out. This fact was got corroborated by the management from the evidence of Sri Manoj Kumar, Senior Clerk, D.R.M. Office, Lucknow. So any order passed by the Tribunal directing the management to produce the personal file would not have fetched any useful result. Even after the remand order, the orders were passed directing the management to produce the personal file of the workman. Sri Chauhan, the auth. representative for the management in his statement on 24-3-93, as recorded by me on the order sheet, stated that the personal file of the workman is not traceable.

14. I would like to refer to the statement made by the auth. representatives for the parties before the Tribunal on 24-3-93. It was stated by them that in the service book copies of full orders of the disciplinary authority, appellate authority and the revisional authority are not placed, only entry of operative portion of this order is made in it. From the above quoted observations of the Hon'ble Court one thing becomes clear that the complete orders of the disciplinary authority, appellate authority and the revisional authority are placed on the personal file of the employee. The same arguments has been advanced by Sri Tewari for the Union, during the course of his arguments. Since no rule or order of any competent authority with regard to preservation of record and their weeding out has been filed by the management, it will have to be presumed that the personal file of the employee is a permanent record. It was also submitted by Sri Tewari that the personal file record is a permanent record and it cannot be destroyed. Therefore, in the ordinary course it should have been with the management. Here I would like to refer to the following observations made by the Hon'ble High Court at page 12 of the order :

It was also incumbent upon the Tribunal to consider as to whether the record was actually weeded out or not and if it was weeded out whether it was according to the Government orders or not; otherwise the administration on this pretext could defeat the claim of the workman who because of his poverty could not approach the government to raise industrial dispute expeditiously. The Industrial Disputes Act was enacted for the benefit of the workman. The objective of the Act is to provide redress to the workman who has been subjected to retrenchment or dismissal etc.

In the circumstances on account of non-production of the personal file of the workman by the management, an adverse inference will have to be drawn against the management as has been observed by the Hon'ble Court. The workman was not served with the complete orders passed by the punishing authority, appellate authority and the revisional authority. Had the personal file been before the Tribunal, the Tribunal might have been able to examine the validity of the orders passed by the disciplinary authority, appellate authority and revisional authority. The Hon'ble Court has also observed that in the absence of service of complete orders of these authorities on the workman the workman would not have been in a position to prefer an effective appeal or revision. The service book of the workman even if produced would not have been of much assistance to the Tribunal in view of the statements made by the auth. representatives for the parties before the tribunal on 24-3-93 that in it only the operative portion of orders of the above mentioned authorities are noted.

15. Since the management have failed to produce the documents which would have helped the Tribunal to the determination of the validity of these orders, it could be not unjust on the part of the tribunal to draw an adverse infer-

ence against the management that these orders were illegal and void.

16. In view of the above findings in the ordinary course the workman should get the relief of reinstatement with full back wages and continuity of service but now we have to see whether or not the relief in the above terms could be granted to the workman.

17. Before remand, when this case was pending before this Tribunal. During the course of arguments, from the side of the management stress was placed on two points, namely, Laches and Acquiescence on the part of the workman. On the point of acquiescence the Hon'ble High Court has observed as follows :

The Tribunal while throwing away the reference also held that the petitioner was guilty of acquiescence as he had applied for reemployment during the course of railway strike. A perusal of his application indicates that the petitioner earnestly preferred application before the authorities concerned to allow him to work without remuneration without prejudice to his case. It cannot be said that by offering his service during the course of strike when according to the petitioner country was in peril he had acquired the order of dismissal. The tribunal has taken a perverse view of the matter by giving a finding to the effect that the petitioner has acquired with the order of dismissal.

Thus the Hon'ble Court has itself held that there has been no acquiescence on the part of the workman. In view of it, the Tribunal has nothing further to say.

#### Reinstatement :—

18. As said by me above the service book of the workman has not been produced before the Tribunal by the management. In his affidavit dated 20-6-88, the workman has given his age as 55 years and the same age was given by him when he was examined as a witness by the Union on 6-10-88, i.e., after about four months. However, help can be had from document no. 19 of the Union filed with the rejoinder. It is the copy of letter dated 23-5-74 from the workman to the Divisional Suptd., Northern Railway, Lucknow. The letter was stated to have been sent in reply to a registered letter of the Divisional Suptd., by means of which the Divisional Suptd., had asked the workman to furnish his date of birth. In this letter the workman has written his date of birth as 15th January, 1933 on the basis of high School Certificate, the copy of which is stated to be enclosed with this letter. The copy of High School Certificate has, however, not been filed with the document no. 19. If this date of birth of the workman is accepted then he would have retired on 31-1-1991. Now we are in 1993, therefore, the relief of reinstatement cannot be granted to the workman.

#### Laches :—

19. Earlier when I gave my award in this case on 28-6-89, after referring to various documents and the law laid down by Hon'ble Mr. Justice S. C. Mathur in writ petition No. 1333 of 1989 Northern Rly. Administration Versus Kaushal Kishore and another decided on 25-8-87, I had held that the workman was guilty of laches. Hon'ble Mr. Justice S. H. A. Raza, who allowed the writ petition of the present workman expressed his agreement with the law laid down in the above mentioned writ petition by Hon'ble Mr. Justice S. C. Mathur. Therefore, we have to see in the light of the said law whether the workman is guilty of laches or not and if found guilty of laches whether he could be denied the whole of relief with regard to back wages or a part thereof.

20. From the own documents of the Union filed with the rejoinder which were referred to by Sri Chauhan for the management before giving of award dated 28-6-89 by me, I find that by means of letter dated 11-8-64 from the office of Divisional Superintendent, the workman was informed that he had been removed from service vide notice dated 26-3-64 and that his appeal and revision both were also dismissed. order regarding his appeal was communicated to the workman by the A.P.O. by means of his letter dated 24-5-65. However from the notice u/s 80 C.P.C. dated 26-9-66. It appears that the General Manager dismissed his revision on 23-4-66. Despite giving of notice u/s 80 C.P.C. dated 26-9-66 by the workman through an advocate, the

workman filed no suit nor sought any remedy in a court of law. He rather sought redressal of his grievances through various representations including representations made to the Railway Minister. In his cross-examination the workman has deposed that he raised the dispute before the ALC(C), Lucknow in 1985 in 1986. In the rejoinder it is alleged that the dispute was raised before ALC(C), Lucknow in February, 1985 and it continued under conciliation till 9-1-87. Documents such as petition made to the ALC(C) has not been led by the Union. However, from the service order it appears that the future report was sent by ALC(C), Lucknow sometime in 1986, therefore, the petition before the ALC(C), Lucknow must have been moved sometime in 1986. What I am trying to state is that he even after the dismissal of his revision by the General Manager did not seek any remedy before the competent court of law for about 20 years. Therefore, he is clearly guilty of laches. Had he sought his remedy in any competent court of law and had obtained an order in his favour, on the basis of the said order, the railway would have availed of his services which as we have found remained denied to the railway until sometime 1986. We have further seen that had he been in service he would have retired in January, 1991 on attaining the age of superannuation. In other words if the railway had acceded to the demand of the workman in 1986, when he raised the dispute before the ALC(C), Lucknow in 1986, the railway could have utilised his services till the time of his attaining the age of superannuation.

21. In view of the facts and circumstances stated above, it will be just and proper if he is awarded 20 per cent of the back wages.

22. Held that the action of the management of D.R.M. Northern Railway, Lucknow in awarding to the workman the punishment of removal from service w.e.f. 27-3-64 was neither legal nor justified. Since as said above the workman had already attained the age of superannuation, he is not entitled to the relief for his reinstatement. However, as said above he is awarded 20 per cent of the entire back wages.

23. Rereference is answered accordingly.

ARJAN DEV, Presiding Officer

नई दिल्ली, 21 अप्रैल, 1993

का.आ. 983.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दक्षिण रेलवे, बंगलौर के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बंगलौर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-4-93 को प्राप्त हुआ था।

[सं. एल-42012/44/89-आई.गार. (डी.यू.) (पार्ट)]

के.वी.बी. उप्पी, डेस्क अधिकारी

New Delhi, the 21st April, 1993

S.O. 983.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Bangalore as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Southern Railway, Bangalore and their workman, which was received by the Central Government on 20-4-93.

[No. L-42012/44/89-IR(DU)(Pt.)]

K. V. B. UNNY, Desk Officer

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, BANGALORE

Dated this 12th day of April, 1993

PRESENT-

Shri M. B. Vishwanath, B.Sc., B.L.,  
Presiding Officer

## CENTRAL REFERENCE NO. 19/90

I party	v/s.	II party
Sri Sudarshan Rao, No. 4 'G', 6th Street, Ulsoor, Jogupalyam, Bangalore-560008.		The Dvl. Railway Manager, Southern Railways, Southern Region, Bangalore-560001.

## AWARD

In this reference made by the Hon'ble Central Govt. by its order No. L-42012/44/89-IR(DU) Dt. 29-3-90 under Sec. 10(2A)(1)(d) of I.D. Act the point for adjudication as per schedule to reference is :

"Whether the management of Southern Railways, Bangalore is justified in terminating the services of Sh. Sudarshan Rao w.e.f. 3-11-83. If not, what relief the workman is entitled to?"

2. In the claim statement it is contended :

The I party joined the services of the II party on 27-4-82 as a T. R. Hamali. The I party after successfully completing the training, has worked continuously for 416 days without interruption. The I party was paid salary of Rs. 600 per month. The I party has a clean record of service. The I party was stopped from doing work w.e.f. 3-11-83. When I party was stopped from doing work, many juniors of I party were retained. The I party was stopped from work, though there was work. The II party has violated Sec. 25-F, S.25-H and S.25-G of the I.D. Act. The I party was always ready and willing to work. The II party has illegally terminated the services of the I party.

3. In the counter statement it is contended:—The I party was engaged only as a substitute hamali to ensure that the minimum required staff was available at the station for managing the work without affecting normal working of the station. The I party has worked at the following stations according to the needs :

- 29-4-82 to 5-8-82—Golahalli station
- 30-8-82 to 2-4-83—Habal station
- 20-4-83 to 21-7-83—Banaswadi station
- 9-10-83 to 3-11-83—Hebbal station.

The I party has not worked continuously for more than 240 days. When the need for his services at Hebbal station was not there the I party was relieved on 3-11-83. The I party should have reported back to the Traffic Inspector, Bangalore. But he did not report himself. The I party absented himself and did not report to Traffic Inspector for duty. Since the I party himself did not report to duty, there is no substance in the allegation that Sec. 25-F, 25-G and 25-H are violated. It was found that the I party was not entitled for re-engagement as he had absented himself and his name was therefore deleted from the rolls. It is not true that the I party was ready and willing to do his duty. Some of the substitutes engaged after I party have been doing work continuously or they have been re-engaged because they reported to Traffic Inspector. But the I party workman did not report to the Traffic Inspector at Bangalore as directed. The service of I party were not terminated. But he himself failed to report to the Traffic Inspector. This is a case of voluntary abandonment of service. The I party is not entitled to any relief.

4. As could be seen from the order sheet dt. 7-2-91 it is ordered that the point for determination is covered by the schedule to reference and no separate issue was required.

5. On behalf of the II party M.W.1 R. Gandhi, Traffic Inspector, Railways has been examined. On behalf of the I party workman he has got himself examined and closed his case.

6. The case of the II party is that the I party workman has not worked continuously for more than 240 days. Further case of the II party is that the I party workman voluntarily abandoned the service without reporting himself to Traffic Inspector for duty.

7. The concerned traffic inspector for whom, it is alleged, the I party workman did not report himself for duty has not been examined. So it is difficult to believe that in these hard days a person like I party workman did not report for duty. The letter or certificate dt. 17-12-86 (Ex. W-13) issued by the Transportation Inspector in respect of I party workman clearly states that the I party stopped working for the II party "for want of vacancy". This recital that I party workman stopped work "for want of vacancy" negates the contention that the I party voluntarily abandoned the services. The I party has stated in his evidence that after he had reported the II party did not give him work. Ex. W.14 is the zerox copy of the letter of certificate dated 17-12-86 issued by the Transportation Inspector to Divisional Personnel Officer, Southern Railways, Yeshwanthapur Division. Ex. W.13 is the original of Ex. W.14. It bears the seal of the Transportation Inspector. In Ex. W-13 it is unequivocally stated that the I party workman has worked from 29-4-82 to 3-11-83 continuously. This means that the I party has worked for 549 days continuously, for more than 240 days in a year. The termination of the services of the I party amounts to retrenchment, because he had worked for more than 240 days continuously in a year. The conditions precedent to retrenchment of I party workman as contemplated under Sec. 25-F have not been complied with. The I party workman is entitled to reinstatement. Ex. W.13 clinches the issue in favour of the I party workman.

8. Ex. W.1 is the attendance certificate issued by the Station Master, Southern Railways, Rebbal to I party. This shows that the I party workman has worked continuously from 30-8-82 to 2-4-83 and again from 27-10-83 to 3-11-83. The muster roll Ex. W.3 shows that a line is drawn from 1-4-83 to 19-4-83. I party workman is not marked absent during this period. The line shows that during 3-4-83 to 19-4-83 the I party workman reported for duty but he was not given work. It has been laid down by our Hon'ble High Court in JLR 1986 Karnataka 769 (Mukund v/s. Managing Director, K.S.R.T.C at page 778 para 6 (See also 1980 Lab. I.C. 508) that the days on which the workman had reported for duty but not taken to work on account of non-availability of work should be taken into consideration for calculating continuous service.

9. Ex. W.2 is the muster roll of I party for the period from Sept., 82 to March 83. Ex. W.3 is the muster roll of I party from April 83 to July 1993. During April 83 a line is drawn from 1-4-83 to 19-4-83. The I party is not marked absent. From April 83 to July 83, the number of days I party actually worked is 92 days. But he was not absent on any day. Obviously on the days when he has not worked he was not given work. To repeat, during the period Sept., 82 to 31-3-83 as per Ex. W.4 and 1-4-83 to 1-7-83 as per Ex. W.3 the number of days comes to 300 days. Though actual days when I party workman worked is less than 300 days, it should be borne in mind that I party is not marked absent and so it should be taken that he was not offered work presumably because of the non-availability of the work. So I reach the conclusion on the basis of Exs. W.3 and W.4 that the I party has worked continuously for more than 240 days in a year.

10. The termination amounts to retrenchment. The conditions precedent to retrenching have not been followed. The I party is entitled to reinstatement.

11. All other documents and evidence not referred to by me are not relevant. In any case they do not alter my conclusions reached above.

12. For the aforesaid reasons I pass the following order:

## ORDER

It is declared that the management of Southern Railways, Bangalore is not justified in terminating the services of I party workman w.e.f. 3-11-83. The II party is directed to reinstate the I party workman with immediate effect. The I party is entitled to continuity of service. I party is allowed 50 per cent of backwages. Reference accepted as stated herein and award passed accordingly.

Submit to Government.

M. B. VISHWANATH, Presiding Officer

नई दिल्ली, 28 अप्रैल, 1993

का.आ. 934.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नार्थ ईस्टर्न रेलवे, लखनऊ के प्रबन्धन के संबद्ध नियोक्ताओं और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 26-4-93 को प्राप्त हुआ था।

[सं. एन.-41012/157/89 आईआर (डी.यू.) (पार्ट)]  
के.बी.बी. उन्नी, डेस्क अधिकारी

New Delhi, the 28th April, 1993

S.O. 984.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of North Eastern Railway, Lucknow and their workmen, which was received by the Central Government on 26-4-93.

[No. L-41012/157/89-IR(DU)(Pt.)]  
K. V. B. UNNY, Desk Officer

#### ANNEXURE

BEFORE SRI ARJAN DEV, PRESIDING OFFICER,  
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-  
CUM-LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 164 of 1990

In the matter of dispute between:

The General Secretary,  
Eastern Rly. Shramik Sangh,  
6-Naveen Market,  
Kesarbagh,  
Lucknow-226001.

AND

Divisional Railway Manager  
North Eastern Rly.,  
Ashok Marg,  
Lucknow-226001.

#### AWARD

1. The Central Government, Ministry of Labour, vide its notification No. L-41012/157/89-I.R. (D.U) dated 27-7-90, has referred the following dispute for adjudication to this Tribunal;

“Whether the Divisional Railway Manager, North Eastern Railway, Lucknow is justified in terminating the services of Shri Manjoor Ali, S/o Shri Jameel, Peon under T. I., Gonda w.e.f. 12-8-87? If not, what relief the workman is entitled to?”

2. The case of the Union in brief is that the workman was appointed in the service of the Railway in August 1980 and had worked continuously as a peon from 20-6-86 to 12-8-87 under T.I. Gonda. He has not been paid his wages from 16-7-87 to 12-8-87 nor has he been paid T. A. for the months of June and July, 87. His services were terminated after 12-8-87 without complying with the provisions of section 25F I. D. Act. The Union has, therefore, prayed for his reinstatement with retrospective effect with full back wages and all consequential benefits.

3. The case is contested by the management. The management plead that the Union has filed the photostat copy of DS(P)/LJN's letter No. F/RD/C1. to prove that the workman was ordered to work against casualities in 1975 of class IV Staff under DCISN/SS Gonda. It could be easily noticed from the said photostat copy that some manipulation had been done by adding the name of Sri Majoor Ali son of Jamil in the subject portion and endorsement portion subsequently. Thus the document cannot be treated as genuine. The management further plead that the Union has filed a statement showing that the workman had worked for 154 days in 1976 and 213 days in 1977 under SM/IT-Jathok. On verification it has been found that during these years the workman had not work-

ed even for a single day. Thus this document filed by the Union is also a forged one. According to the management the workman had worked not from 30-6-86 to 12-8-87 but he had worked from 20-6-86 to 15-7-87 and he had been paid wages due to him for the said period. As regards the T.A. claimed by the workman, the management plead that no claim for T.A. for the months of June and July 1987 was ever submitted by the workman. In the circumstances the workman/Union is not entitled to any relief.

4. In its rejoinder the Union has alleged that original letters are normally available with the management, so the management could produce the same if the same have not been filed by the Union/workman. As regards T. A. bill, the Union alleges that T. A. Bill of class IV staff is prepared by the senior subordinate under whom he is working, as class IV staff do not submit their T. A. Bills themselves.

5. In support of its case, the Union has examined the workman and has filed a number of documents as per list of documents dated 4-6-91. On the other hand, the management have examined Sri Tufail Ahmad D.T.I.

6. Let us first examine the genuineness of the two documents referred to by the management in their written statement. The first document is Ext. W. 1 which is the photostat copy of letter dt. 7-6-88 from Sri Manjoor Ali casual Labour Gonda, to D. R. M. (P) Lucknow. During his cross examination, the workman admitted that the letter is in his hand writing and it bears his signatures. He has also said that the contents of the letter are correct. I may state here that in this letter the workman has stated that he had worked for 154 days in 1976 and for 213 days in 1977.

7. In his cross examination the workman has deposed that his date of birth is 8-7-61 and that he joined the service of the railway for the first time as a casual labour under SS Gonda in August, 1980, when his age was about 19 years. This statement of his contradicts the facts stated in the letter dt. 7-6-88. Had he joined the service of the railway for the first time at the age of 19 years in 1980 there was no question of his having worked under SM Gonda as a casual labour in 1976 and 1977. Moreover, as per date of birth given by him in 1976 his age would be 15 years. He could not have been engaged/appointed as a casual labour until he had attained the age of 18 years i.e. the age of majority. Hence so far as this document is concerned I hold that facts stated in it by the workman are absolutely incorrect.

8. The second document is Ext. W. 4. It is the photostat copy of letter from the office of the Divisional Suptd(P) to D. C. I. It is not legible. In the subject the name of Sri Ram Dayal son of Sri (illegible) and Sri Manjoor Ali son of Jamil are mentioned and in the endorsement of copy forwarded at serial nos. 3 and 4 these very two names are mentioned. It appears to be a typed letter.

9. The case set up by the management is that the name of Sri Manjoor Ali son of Jamil at both the places has been added subsequently. The letter is thus tempered. This very suggestion was put to the workman in cross examination but he denied it. During his cross examination it was inquired from the workman as to where was the original of this letter. In reply the workman stated that he deposited it with Sri Tufail Ahmad Siddique T. I. Gonda on 20-6-86. According to him he was given the original letter in August, 1980. He was given the photostat copy filed by him by the personnel branch after 12-8-87.

10. In his affidavit the management witness Sri Tufail Ahmad T. I. has corroborated the case set up by the management that manipulation has been done in the aforesaid letter by addition of the name of Shri Manjoor Ali S/o Jamil.

11. I have examined the letter carefully and find that there is a good deal of force in the contention of the management. The typing letters of the name Manjoor Ali s/o Zamil at both the places are different from the typing letters of the remaining portion of the letter. Moreover, from the language of the letter it appears that the letter was written in respect of one person and not two persons. This can be gathered from the following words of the letter—

The above named who was..... now be utilised by you against the casualty of class IV Staff.

The use of word 'was' is very significant. It means that the letter referred to only one person and not to two or more than one person. Had reference been of two persons verb would have been were and not 'was'.

12. During his cross-examination, the management witness was confronted with letter dated 12-8-87 purported to have been written by the management witness as Traffic Inspector Gonda. Its photostat copy filed by the Union is Ext. W.3. The management witness admitted that the letter was in his hand writing and it bears his signature. However, he said that the endorsement in English appearing at the bottom on the left hand side is not in his hand writing. In this letter the management witness referred to the letter Ext. W.4 and it was stated by him that the photostat copy of the said letter was deposited with him. It is also written that the date of letter is not legible and that the name of Manjoor Ali son of Zamil appear to have been added separately by typing machine. Thus the own document of the Union belies the evidence given by him with the management witness.

13. Ext. W.5 is the photostat copy of letter dated 11-8-87 from A.P.O., Gonda to Sri Tufail Ahmad, T.I., Gonda on the subject of pay of the workman for the period 16-6-87 to 15-7-87. In this letter reference is made to Ext. W.4 which has been discussed by me. It is stated in the letter that in the said letter the date is not visible, orders are not clear and number is also misleading. Addition of name of Manjoor Ali Son of Zamil by typing of different machine is also confusing. The A.P.O., therefore, requested Sri Tufail Ahmad to submit the original of the said letter. He also directed him not to allow Sri Manjoor Ali duty unless its bona fide was verified from D.R.M. (P) Office. It was also stated that wages for the said period had been prepared and submitted to Asstt. Accounts Officer for payment. It was on the basis of this letter that Sri Tufail Ahmad, T.I., Gonda wrote letter dated 12-8-87, copy Ext. W-3, to Sri Manjoor Ali casual substitute Gonda asking him to produce the original letter making it clear that until got it verified his salary would not be drawn nor he would be taken on duty.

14. It appears that it was in pursuance of letter dated 12th August, 1987, copy Ext. W-3, that the workman was not taken on duty w.e.f. 12-8-87. I have made certain observations with regard to letter copy Ext. W.4, the original of which was demanded by the Railway Administration from the workman.

15. The case of the Union is that the workman had worked from 20-6-86 to 12-8-87 and that of management is that he had worked from 20-6-86 to 15-7-87. It follows, therefore, that he had worked continuously for more than 120 days and had acquired temporary status prima facie.

16. The question is whether the workman was taken as a casual substitute as is stated by the management witness on the basis of document copy Ext. W.4 or on the basis of some other documents.

17. Ext. W.2 is the copy of letter dated 20-6-86 from Sri Tufail Ahmad, T.I., Gonda to AOS, Gonda with the request to issue an order for utilisation of an approved casual substitute for giving duties of T.I. Peon. Below this letter on the left hand side there is an endorsement of the AOS that he (Tufail Ahmad) should check his antecedents and if he was personally satisfied about his entry in the railway prior to December 1980 he could utilise him. On the right hand top of the letter the name (Manjoor Ali) appears. In this connection the management witness was confronted. In his cross-examination the management witness states that it was he who had orally suggested to AOS the name of Sri Manjoor Ali. It, therefore, follows that the management witness wanted to utilise Sri Manjoor Ali as a casual substitute for performing the duties of T.I. Peon. According to him Manjoor Ali had told him that before that he had worked under S. S. Gonda and DCI Gonda and produced before him the photostat copy of his having worked under D.C.I. Gonda. He had also obtained from S.S. Gonda a certificate in writing about Sri Manjoor Ali having worked under him.

18. Therefore, in the circumstances stated above if the railway felt that Sri Manjoor Ali had obtained appointment in the railway on the basis of some forged document, it should have held an inquiry in accordance with law against him before dispensing with his services. In this connection, I would like to refer to the judgment dated 23-5-90 of Central Administrative Tribunal, Allahabad in Registration O.A. No. 160 of 89. It was a case where the services of the petitioner as a casual labour were terminated on the ground of alleged false casual labour card. Since no inquiry had been held it was held by the Central Administrative Tribunal, Allahabad that order terminating his services was invalid being in violation of the principles of natural justice. The point of back wages also considered but no back wages were allowed. The

petitioner was reinstated in service without back wages with liberty to the railway administration to conduct a proper inquiry in the matter of casual labour card in accordance with the principles of natural justice.

19. As said above in this case also, the railway should have held a proper inquiry in accordance with law. This step having not been taken nor any clear order terminating his services having been passed, the order resulting in the termination of the services of Sri Manjoor Ali cannot be upheld. I have referred to document, copy Ext. W.4, and what I have said should be taken as simply as my observations.

20. In the ordinary course the workman on account of non-compliance of the provisions of section 25F would have got the relief of reinstatement with full back wages, but as said above the circumstances surfaced in this case, go to show that his services were sought to be terminated as he was said to have obtained employment on the basis of a forged letter. Therefore, in my view, so far as this case is concerned section 25F of the Act will not apply.

21. Held that the action of the management in terminating the services of Sri Manjoor Ali son of Zamil is neither justified nor legal. According he is reinstated but without back wages. The management will be at liberty to conduct a proper inquiry in the matter and take suitable action according to law against the workman.

22. Reference is answered accordingly.

ARJAN DEV, Presiding Officer

नई दिल्ली, 22 अप्रैल, 1993

का.आ. 985:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ट्यूटीकोरिन पोर्ट ट्रस्ट, ट्यूटीकोरिन के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, तमिलनाडु के पंचपट को प्रकाशित करती है जो केन्द्रीय सरकार को 29-3-93 को प्राप्त हुआ था।

[संख्या एल-44011/2/91-आईआर (विविध)]

बी एम डेविड, डैस्क अधिकारी

New Delhi, the 22nd April, 1993

S.O. 985.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Tamil Nadu as shown in the Annexure in the industrial dispute between the employers in relation to the management of Tuticorin Port Trust and their workmen, which was received by the Central Government on the 29-3-93.

[No. 1-44011/2/91-IR(Misc.)]

B. M. DAVID, Desk Officer

#### ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL, TAMIL NADU, MADRAS

Friday, the 12th day of March, 1993

PRESENT :

Thiru M. Gopalaswamy, B.Sc., B.L., Industrial Tribunal Industrial Dispute No. 67 of 1991

[In the matter of the dispute for adjudication under section 10(1)(d) of the Industrial Disputes Act, 1947 between the workmen and the management of Tuticorin Port Trust Tuticorin].

#### BETWEEN

The workmen represented by The Secretary, Port of New Tuticorin Anna Dock and Transport Workers Union, No 5, St. George Street, Tuticorin-628001.

#### AND

The Chairman, Tuticorin Port Trust, Bharathi Nagar, Tuticorin-628004.

## REFERENCE :

Order No. L-44011/2/91-IR(Misc.), dated 22-10-1991 of the Ministry of Labour, Government of India, New Delhi.

This dispute coming on this day for final disposal, upon perusing the reference and other connected papers on record and both the parties being absent, this Tribunal passed the following :

## AWARD

This dispute between the workmen and the management of Tuticorin Port Trust, Tuticorin arises out a reference under section 10(1)(d) of the Industrial Disputes Act, 1947 by the Government of India in its Order No. L-44011/2/91IR (Misc.) dated 22-10-1991 of the Ministry of Labour, for adjudication of the following issue :

Whether the management of Tuticorin Port Trust is justified in denying the promotion to Shri P. Velumuthu, Mechanic and Shri S. Ganesan, Tinker? If not, to what relief are the concerned workmen entitled?

(2) Parties were served with summons.

(3) In spite of several adjournments, the Petitioner-Union did not appear before this Tribunal. No claim statement was filed.

(4) Today also, when the dispute was called, Petitioner-Union was absent and no representation was made on its behalf. No claim statement was filed. Hence, the industrial dispute is dismissed for default.

Dated, this 12th day of March, 1993.

THIRU M. GOPALASWAMY, Industrial Tribunal

नई दिल्ली, 28 अप्रैल, 1993

का.आ. 986:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैनेजमेंट आफ इंडियन एयरलाइंस कारपोरेशन के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, न. 2 बम्बई के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-4-93 को प्राप्त हुआ था।

[संख्या एल-11015/2/92-आईआर (विधि)]

बी. एम. डेविड, डेस्क अधिकारी

New Delhi, the 28th April, 1993

S.O. 486.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. 2, Bombay as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Indian Airlines Corporation and their workmen, which was received by the Central Government on the 27th April, 1993.

[No. L-11015/2/92-IR(Misc.)]

B. M. DAVID, Desk Officer

## ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, BOMBAY

## PRESENT :

Shri P. D. Apsankar, Presiding Officer.

Reference No. CGIT-2/46 of 1992

## PARTIES :

Employers in relation to the Management of Indian Airlines Corporation.

AND

Their workmen.

## APPEARANCES :

For the Management—Shri K. B. Swamy, Advocate.

For the Workman—Shri Madan Phadnis, Advocate.

INDUSTRY : Aviation.

STATE : Maharashtra.

Bombay, dated the 6th April, 1993

## AWARD

The Central Government by their order No. L-11015/2/92-IR (Misc.) dated 20th July, 1992 have referred the following Industrial Dispute to this Tribunal for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947.

"Whether the action of the management of Indian Airlines in dismissing Shri D. Jairam Naidu vide Order dated 3rd October, 1973, is justified? If not, to what relief the workman is entitled?"

2. While the present reference was at the stage of filing the Statement of Claim by the union, the representative of the union filed an application on 31st March, 1993 (Ex. 2) stating that :

"The Government of India vide its order of the Ministry of Labour No. 11015/2/92-IR (Misc.) dated 20th July, 1992 referred an industrial dispute to this Hon'ble Tribunal regarding dismissal of Mr. D. Jairam Naidu vide order dated 3rd October, 1973. The said dispute has been registered as Reference No. CGIT-2/38 of 1992 which is pending before this Hon'ble Tribunal.

However the Government again sent another copy of the very same order to the office of this Hon'ble Tribunal which being thought of another order of Reference was in advertantly marked as Reference CGIT No. 2/46 of 1992 thereby two References for the same dispute and for the same references are happened to be pending before this Hon'ble Tribunal.

It is submitted that the ACEU and the concerned workman do not wish to proceed with Reference CGIT-2/1992. That Reference as referred herein above be treated as not pressed and closed, serving the right of the ACEU and the concerned workman to proceed with the Reference CGIT No. 2/38 of 1992 in respect of the same order and the same issue."

3. Therefore, as the union does not want to proceed further with the present reference No. 46 of 1992, it stands disposed off.

The parties to bear their own costs of this reference.

P. D. APSHANKAR, Presiding Officer

नई दिल्ली, 22 अप्रैल, 1993

का.आ. 987:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, मै. भारत कोलिंग कोल लिमि. की कूया कोलियरी के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, (सं. 2), धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-4-93 को प्राप्त हुआ था।

[सं. एल-24011/16/84-डी-4(बी)/आईआर (कोल-I)]

एच.सी. गोड, डेस्क अधिकारी

New Delhi, the 22nd April, 1993

S.O. 987.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal (No. 2) Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Kuya Colliery of M/s. BCCI and their workmen which was received by the Central Government on 20-4-93.

[No. L-24011(16)/84-D-IV(B)/IR(C-I)]  
HARISH GAUR, Desk Officer

## ANNEXURE

## BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

## PRESENT :

Shri B. Ram, Presiding Officer.

In the matter of an industrial dispute under Section 10(1)(d) of the I.D. Act., 1947.

REFERENCE NO. 55 OF 1985

## PARTIES :

Employers in relation to the management of Kuya Colliery of M/s. Bharat Coking Coal Ltd. and their workmen.

## APPEARANCES :

On behalf of the workmen.—Shri D. Mukherjee, Secretary, Bihar Colliery Kamgar Union.

On behalf of the employers.—Shri R. S. Murthy, Advocate.

STATE : Bihar INDUSTRY : Coal  
Dated, Dhanbad, the 8th April, 1993

## AWARD

The Govt. of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act., 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-24011(16)/84-D. IV(B), dated, the 13th May, 1985.

## SCHEDULE

"Whether the action of the management of Kuya Colliery of M/s. Bharat Coking Coal Limited in not giving employment to the female wagon loaders named in annexure given below is justified ? If not, to what relief these female workmen are entitled ?"

## ANNEXURE

1. Ratani Kamin	Truck Loader
2. Budhani Majhin	"
3. Biniya Kamin	"
4. Jhunari Kamin	"
5. Balika Kamin	"
6. Mali Khamin	"
7. Sumitra Kamin	Wagon Loader
8. Bimala Kamin	"
9. Surajee Kamin	"
10. Mukteshwar Modi	"
11. Shakuntala Kamin	"

2. All the 11 concerned workmen as per annexure to the schedule of reference are demanding their employment with full back wages. They claim to have been appointed originally as permanent wagon/truck loader against permanent vacancy. They further stated to have completed 240 days in a calendar year.

3. In the W. S. was stated that all the concerned workmen absented without any prior permission and the management removed their names from the Muster roll without any show cause and also without payment of any retrenchment compensation. The workmen and their union represented the management for their reinstatement but without any effect. The union raised industrial dispute which ended in failure giving rise to the present reference. It was stated that removal of the names from the muster roll from unauthorised absence was against the mandatory provision of Section 25F of the I. D. Act.

4. The management submitted separate W. S. while raising preliminary objection. It was stated that the reference is over, stale and liable to be rejected on that score. It was stated that the concerned workmen were purely casual workers employed for sometimes as wagon/truck loaders. It was correct

that they would be given work if and when required and the payment will be made according to the days employed by them. Thus no continuous employment was granted. No workman ever put in 240 days attendance in any calendar year. The management further stated that Shakuntala Kamin had left work in 1986 and the rest 10 absented from 1975. Thereafter they did not turn up again for employment. Since the concerned workmen were casual labour the management did not think it necessary to take any disciplinary action against them.

5. While giving parawise reply to the W. S. of the workmen the management denied that the workmen were appointed as permanent wagon loader/truck loaders. They were purely casual labour and never made permanent. It was further denied that they completed 240 days continuous service in any calendar year. It denied that the management removed the names of the workmen from the muster roll. It is they who themselves left and abandoned.

6. The question for consideration is as to whether the concerned workmen are entitled for re-employment with full back wages.

7. The management admitted to the extent that the concerned workmen were employed as casual wagon/truck loaders on the basis of as and when required. MW-2 Shri R. N. Prasad has proved photo copy of Bonus Register marked Ext. M-2 to M-5 wherein the names of 8 concerned workmen appears. The names of Ratni Kamin, Budhin Mujhiain and Surji Kamin do not find any mention. The witness stated that remaining 8 concerned workmen are working as casual wagon loader in Kuya Colliery. However, in cross-examination he stated that identity cards were issued to all the 11 concerned workmen. The question is if they were not working in colliery then what was the necessity of issuing identity card to all the concerned workmen. Anyway this fact finds support from Ext. W-5 which is the letter dt. 18-11-84 written by the Personal Manager to the ALC(C), Dhanbad during the conciliation proceeding. It has been written there in most unequivocal terms that all the eleven concerned workmen were casual wagon loaders and they abandoned their employment of their own accord. At first we are concerned whether the concerned workmen were casual wagon loaders or employed permanently as wagon loader. Decidedly no paper on behalf of the workmen has been filed to establish the fact that the concerned workmen were permanently employed. On the other hand the management stated that they were assigned duty on the basis of as and when required. At this stage reference may be made to MW-2, Head P. F. clerk in Kuya colliery. He has stated that the truck loaders in Kuya colliery used to work everyday. He stated that attendance register and Form IVA of truck loaders are maintained in Kuya colliery. According to him the attendance and Form IVA are maintained in the colliery which can show the number of truck loaders working everyday and quantity of coal loaded by them. He also stated that coal is sent to Giridih colliery by truck as there is no railway siding of Kuya colliery. In this connection it will be relevant to quote few lines of the evidence given by MW-1 Shri S. P. Tekriwal who had occasion to work as Agent in Kuya colliery from May, 1982 to May, 1984. He stated that there was railway siding in Kuya colliery which dismantled. According to him the coal in Kuya colliery was directly despatched to Giridih siding through dumper and tipplers. On this point MW-2 has seriously contradicted. It is a fact that MW-1 is stating the position of the period from 1982 to 1984 whereas the concerned workmen were claim to have been stopped/refused employment from 1976. However, the evidence of MW-2 has got tendency to suggest that the concerned workmen were working everyday as wagon/truck loaders and not occasionally as contended by the management. There can be no denial of the fact rather it is a legal position that a workman having put in 240 of attendance in a calendar year is entitled for regularisation. I find no attendance register for the relevant year has been filed to prove this fact. Certainly the workmen are required to prove the attendance in a year just to qualify their claim. But it is also true that a workman is not the custodian of relevant registers. No doubt the management is not required to prove negative but at the same time we cannot ignore this aspect of the matter that the management is the custodian of the register.



8. Bonus Register has been filed showing total attendance but this does not appear to be complete in itself.

9. MW-2 has stated that prior to 1975 there were two sections, namely North Golukdih section and Kuya Section and both the sections had their separate registers. WW1 and WW-2 have stated that the concerned workmen had been working in both the sections and were getting bonus accordingly. Admittedly the Bonus register filed in this case appertains to Kuya section. The witness has made abundantly clear that formerly there were separate attendance register for Kuya and North Golukdih colliery. The attendance of the loaders, according to the witnesses has to be counted from both the registers. At this stage I would like to have a brief discussion of the Bonus register is exhibited in this case on behalf of the management. It does not mention anything like casual or permanent but definitely actual attendance and attendances for the purpose of the bonus has been noted in the relevant column. We are solely concerned that the actual attendance as noted in column No. 1 of the proforma. For example one or two cases may be taken as follows :—

"Jhundi Kamin—She is one of the concerned workman. Her C.M.P.F. account No. has been noted as G/14270 in the register for the year 1975. In register for the year 1974 her attendance for the first and second quarter has been acted as 18 days and 31 days respectively. For the third and fourth quarter it has been acted as 76 days and 60 days respectively and thus the total for the year and comes to 135 days. It may be noted here that only the photo copy of the extract of the Bonus register has been filed which is Ext. M-2 to M-5.

Sumitra Kumin—Her C.M.P.F. Account No. has been acted as G/14273. Her actual attendance in the year 1974 for the first, second and third and 4th quarter have been noted as 31 days, 60 days, 76 days and 60 days respectively. The total days in the year and will come to 247 days which is definitely more than 240 days."

I have already stated that according to MW-2 the attendance has to be counted from both the Bonus Register. But the present bonus register relates to only Kuya section. From what has been said above it can be inferred that each and every concerned workman would have completed sufficient days of attendance. The very allotment of C.M.P.F. Number is the proof that the concerned workman had already put in sufficient days of attendance in a calendar year and in the circumstances absence without permission was a misconduct. Since it was a misconduct it was demanded on the part of the management to proceed in accordance with the provision of the standing order by issuing show cause notice. Striking off the names of the concerned workmen from the muster roll by the management is termination of service which amounts to retrenchment within the meaning of section 2(oo) of the Industrial Disputes Act, 1947. Admittedly, there was no compliance of the provision of Section 25F of the I.D. Act in this case.

10. Ext. W-7 is the copy of the letter dt. 4-8-80 addressed to all the General Manager, Colliery Managers, Superintendent and Agents by the General Manager (Personnel). This is with regard to badli loaders. This was issued for engagement of Badli loaders on account of absenteeism of permanent miners/loaders. It was decided that the management will take those delisted casual wagon loaders as badli loaders who have completed 75 days or more attendance during the period 1973, 1975 and 1976. It was also conveyed through the letter to all concerned that the persons having higher attendance during 1973, 1974, 1975 and 1976 would be given preference in the matter of deployment as badli miner/loader over those having lower attendance. We have seen that no attendance register was filed. Even the bonus register was not complete. However, the incomplete bonus register is sufficient proof as discussed above to qualify the demand of the concerned workmen. Apart from that in the given circumstances prudence demands that for the sake of natural justice benefit must go to the concerned workmen.

11. MW-3 is Shri Sufal Chandra Rewani, P.O's Clerk. He has proved photo copy of identity card register Ext. M-6. He had prepared identity card register on the basis of Form B Register. He stated that Form B Register was not available,

It was suggested to him that the "word casual" was not written in Form B Register. However, the witness has denied the suggestion. The witness further explained that a permanent and casual loader do the same type of job. Even the identity card register will not show as to who is permanent or who is casual.

12. The management has taken the plea that the concerned workman did not report for their re-employment and they suo-moto stopped coming and thus they abandoned their services. Certainly prior to 1983, 1984 we have no paper to show that the concerned workmen had been agitating their claim before the management but certainly after 1983 they seemed to have been agitating their claim for re-employment in the colliery. In such view of the matter this cannot be treated a case of abandonment.

13. I have discussed the matter and also considered the evidence available with the record. As per terms of reference the concerned workmen are demanding employment in the colliery and that was not the case of reinstatement with full back wages. WW-1 has stated that their demand is for reinstatement with full back wages. I may mention here the Tribunal is not to beyond the terms of reference and the reliance can be placed upon the authority reported in SCLJ Vol. IV at page 2307 (Delhi Cloth and General Mills Co. Ltd. vers. workmen and others). Their Lordships were pleased to hold that the Tribunal must confine its adjudication to the points of dispute referred and matters incidental thereto. In other words the Tribunal is not free to enlarge the dispute referred to it. But must confine its attention to the points specifically mentioned and anything which is incidental thereto. In the circumstances, I am to hold that the concerned workmen had put in sufficient days of attendance and they had been issued C.M.P.F. Account No. They were not given any notice, indicating reasons for retrenchment nor anything were paid in the shape of compensation and that was the violation of the necessary provisions of Section 25F of the I.D. Act. Definitely non-compliance of Section 25F of the Act will vitiate termination. The management is thus directed to give employment to all the concerned workmen within 2 months from the date of publication of the Award. However, in the circumstances of the case there can be no order as to back wages.

This is my Award.

B. RAM, Presiding Officer

नई दिल्ली, 23 अप्रैल, 1993

का.आ. 988.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, मै. भारत कोकिंग कोल लिमि. की आकाशकीनारी कोलियरी के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण (सं. 2), धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-4-93 को प्राप्त हुआ था।

[सं. एल.-20012/280/82-डी-3(ए)/आईआर(कोल-1)]

एच.सी. गौड, डेस्क अधिकारी

New Delhi, the 23rd April, 1993

S.O. 988.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal (No. 2), Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Akashkinari Colliery of M/s. B.C.C.L. and their workmen which was received by the Central Government on 22-4-1993.

[No. L-20012/280/82-D-III(A)/IR(C.I)]

HARISH GAUR, Desk Officer



## ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL  
TRIBUNAL (NO. 2) AT DHANBAD

## PRESENT :

Shri B. Ram, Presiding Officer.

In the matter of an industrial dispute under Section 10(1)(d)  
of the I.D. Act, 1947

Reference No. 23 of 1983

## PARTIES :

Employers in relation to the management of Akashkinari  
Colliery of M/s. Bharat Coking Coal Limited and  
their workmen.

## APPEARANCES :

On behalf of the workmen : Shri D. Mukherjee, Secre-  
tary, Bihar Colliery Kamgar Union.On behalf of the employers : Shri R. S. Murthy, Advoca-  
te.

STATE : Bihar.

INDUSTRY : Coal.

Dated, Dhanbad, the 13th April, 1993

## AWARD

The Government of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012(280)/82-D.III(A). dated, the 11th March, 1983.

## SCHEDULE

"Whether the management of Akashkinari Colliery of Messrs Bharat Coking Coal Limited, Post Office Katrasgarh, District Dhanbad are justified in refusing employment to the workmen listed in the Annexure below? If not, to what relief are these workmen entitled?"

Sl. No. Name

1. Sobram Manjhi.
2. Jagan Manjhi.
3. Khare Manjhi.
4. Carika Manjhi.
5. Lakhia Dassl.
6. Junni Dassuin.
7. Situa Bhuia.
8. K. Modin.
9. Dasrath Manjhi.
10. Kailasa Bhuini.
11. Bukhani Kamin.
12. Ratani Kamin.
13. Saraswatia Kamin.
14. Kalua Bhuini.
15. Jasadah Kamin.
16. Rustmoni Majhlan.
17. Monia Bhuini.
18. Kanta Bhuian.
19. Kalua Chatwarin.
20. Banti Bhuini.
21. Basantia Kamin.
22. Barni Kamin.
23. Bhuini
24. K. Bhuini.

2. The action of the management of Akashkinari colliery of M/s. B.C.C.L. has been challenged in refusing employment to the workmen listed in the annexure of the reference. There are all 24 in Nos. At Sl. No. 23 no complete name

has been written. The union claims that these workmen have been working as permanent wagon loaders since long-time. It was stated that due to some unavoidable circumstances the concerned workman absented from their duties without any permission from the authority of the management. After sometimes they reported for duty but they were not allowed to join their duties. It was stated that deliberations continued for years for re-employment of the concerned workmen but all ended in failure. The union claimed that the concerned workmen had completed 240 days attendance in calendar year prior to the date they absented themselves. It was further asserted that the management removed the concerned workmen from the muster roll without any notice and compliance of the provision under Section 25F of the I.D. Act. Ultimately industrial dispute was raised which ended in failure giving rise to the present reference.

3. While giving rejoinder to the W.S. of the management it was submitted by the union that the concerned workmen namely Sobram Manjhi, Jagan Manjhi, Kharu Manjhi, Dasrath Manjhi and Sarkar Manjhi were underground miner loaders. In this way the union prayed for reinstatement with full back wages.

4. The management filed W.S. refuting the claim of the concerned workmen. Firstly it was stated that the reference is over stale and it must be rejected on this ground alone. It was stated further that the concerned workmen namely Sobram Manjhi, Jagan Manjhi, Khara Manjhi and Dasrath Manjhi were casual piece rated surface worker and they did not complete 240 days attendance in any calendar year. These persons tendered their resignation and left services. They had also requested the management for settlement of their C.M.P.F. dues which was subsequently done. The management could learn that Sobram Manjhi, Jagan Manjhi and Khara Manjhi have already secured employment in South Govindpur colliery. Regarding others it is stated that they were all casual piece rated surface workers and none of them ever completed 240 days attendance in any calendar year. The management stated that the names of the concerned workmen were struck off from the roll because they absented for long time without any previous permission. In this way it was urged that the concerned workmen have no claim and the award be answered accordingly.

5. The management amended its W.S. on 28-11-84 i.e. after about 1-1/2 year of the filing of the first W.S. Who first W.S. was filed on 5-7-83. By the amended W.S. it was submitted that Carika Manjhi, Sitwa Bhuia, K. Modin, Kalua Bhuini, Monia Bhuini, Kalua Chatwaria, Banti Bhuini, Basantia Kamin, Barni Kamin, Bhuini, K. Bhuini at Sl. Nos. 4, 7, 8, 14, 17, 19, 20, 21, 22, 23 and 24 respectively were never appointed nor they ever worked in the colliery. By the aforesaid amendment the management corrected few names. It was stated that the real names appearing at Sl. Nos. 5, 10, 15 and 16 are Lakhia Dassl, Kailasa Bhuini, Jasadah Kamin. and Rasmani Majhiain respectively. The management thus prayed that the W.S. filed earlier be amended accordingly. In this way by amendment the management denied to have appointed majority of the concerned workmen. Since they were not appointed there was no question of denying them in employment. Regarding the remaining few it has already been stated in their original W.S. that they had tendered their resignation and left services of the management for ever.

6. The union submitted rejoinder on 31-1-85. In reply to the amendment of W.S. of the management it was stated that the real names appearing at Sl. No. 4, 5, 7, 8, 14, 17, 19, 20, 21, 22, 23 and 24 of the annexure of the reference should be Sarkar Manjhi, Lakhia Dassin, Sitabiya Bhuini, Modin, Kalua Bhuini, Moniya Bhuini, Delwa Chamarin, Bhandi Bhuini, Basmatiya Kamin, Parni Kamin, Sitabiya Kamin and K. Bhuini respectively.

7. The point for consideration is as to whether the concerned workmen are entitled for their re-employment in the management of Akashkinari colliery of M/s. B.C.C.L. and if so they should be given full back wages or not?

8. Admittedly, the concerned workmen absented for a long time without any permission of the authority. This in itself speaks something abnormal which is never to be appreciated by the employer management. Most of the names as shown

in annexure to the reference had been written incorrectly which were rectified by the union in a rejoinder to the reply of the amended W.S. of the management. I find that no step was ever taken by the union to get reference order amended by the Ministry of Labour.

9. It has nowhere been stated as to when the concerned workmen were appointed. There is no paper to certify this fact. The W.S. of the workmen does not mention as to when they left the work and for how long. It has also nothing to show as to when they reported for duty but admittedly they were absent for a pretty long time. According to the management some of the concerned workmen were purely piece-rated surface workers who absented without any permission. On the record there is nothing to show that any of the concerned workmen ever completed 240 days attendance in any of the calendar year. The management has filed and proved several Bonus Registers right from the year 1971 to 1975 which have been marked Ext. M-1 and M-2 series. The name of the concerned workmen are not to be found in these bonus registers. Even if in few cases it was found to be noted the same has already been struck off from the roll on account of their prolonged absence without permission. The learned counsel for the workmen could not satisfy from these registers that the concerned workmen are in continuous service of the management and they have been getting bonus. In the circumstances I think the management was not obliged to give any notice or to follow the provision of Section 25F of the I.D. Act, 1947. The learned counsel for the workmen relied upon the authority as reported in 1976 Vol. I page 478 (State Bank of India vrs. N. Sundramoni) but the facts and law decided by their Lordships are quite different than the facts of the present reference.

10. It is most surprising to note that no workman has been examined in this reference to assert his claim. If examined they could have very well stated on oath that they were appointed long back and have been working as permanent wagon loaders.

11. It is the consistent case of the management that Khara Manjhi, Jagann Manjhi, Sobram Manjhi and Dasrath Manjhi had resigned and their C.M.P.F. accounts had been settled. The resignation letters have been marked Ext. M-4 to M-4/3. These applications were filed as back as in August, 1976. Ext. M-5 to M-5/3 are the letters dt. 20-9-76 written by the management of Akashkinari colliery, to the Regional Commissioner, C.M.P.F. Dhanbad for refund of the amount to the applicant. In normal course it is expected that the concerned workmen must have taken their refund when it was already calculated on the application itself. The union should have examined these witnesses to deny this fact. Thus the witness if examined could have stated that they did not file any such resignation letter and if filed their C.M.P.F. accounts were settled. So in a word it can be said that non-examination of the witnesses in this reference has cut at the very root of the union's claim.

12. The management has examined two witnesses MW-1 Shri Surendra Singh is a witness who has been working as P.O.'s Clerk in the colliery since 1974. He stated that the concerned workmen at Sl. Nos. 1, 2, 3, 6, 9, 12 and 13 were working in Akashkinari colliery but they left work suo moto. He stated that the other concerned workmen never worked in the colliery. The witness stated that the concerned workmen at Sl. Nos. 1, 2, 3 and 9 had resigned and their C.M.P.F. accounts were settled.

13. The witness has stated that there is entry of the name of Kailwa Bhuini wife of Musafir Bhuia at Sl. No. 3350 of the identity card register. Similarly the name of Sitabwa Bhuini wife of Kaleswar Bhuia also appears at Sl. No. 3352 of the I.D. Card register (Ext. M-3) series. He also stated that the names of Kailwa Bhuini also appears at Sl. No. 3366 but her name has been struck off from the register.

14. MW-2 is Shri U. Singh who has been working as time keeper in South Govindpur colliery since 1976. He stated that Sobram Manjhi, Khara Manjhi and Dasrath Manjhi are working in South Govindpur colliery. Khara Manjhi and Dasrath Manjhi were given employment on the basis of the memorandum of settlement arrived at between the workmen and the management. The document has been marked Ext.

M-6. The name of Khara Manjhi appears at Sl. No. 63 and Dasrath Manjhi at Sl. No. 50 of the annexure A which forms part of the settlement.

15. I have examined the matters carefully. No evidence either oral or documentary have been adduced on behalf of the union to assert the claim of the concerned workmen. On the other hand the management examined witnesses and also proved documents to disprove the claims of the workmen. On the basis of the discussions made above I find that the concerned workmen have no case and thus I am to hold that the action of the management in refusing employment to the concerned workmen was fully justified and consequently the concerned workmen are not entitled to any relief.

This is my Award.

B. RAM, Presiding Officer

### ANNEXURE III

#### CONCILIATION PROCEEDINGS DATED: 16

Both the parties are present. The management represented through Shri B. K. Singh, Personnel Manager, Bhalgora Area of M/s. BCCL whereas Shri S. P. Singh, General Secretary, Khan Mazdoor Congress, East Bhagatdih Colliery Br. is present on behalf of the union/workman. Both the parties stuck to their divergent views to resolve the dispute. After great persuasion and discussion the parties did not agree to resolve as there was no ground for any amicable settlement. Hence the C/P ended in failure. The detail report shall be sent separately.

During the course of conciliation proceeding it was ascertained that the Union/workman was agreeable for arbitration U/s 10 of the I.D. Act, 1947 to which the management did not agree.

Management Representing :

Sd/-

(B. K. Singh),

Personnel Manager

M/s. BCCL Bhalgora Area.

Union/workman Representing :

Sd/-

(S. P. Singh),

General Secretary

Khan Mazdoor Congress

Sd/-

(P. N. Singh),

Asst. Labour Commissioner (C), Dhanbad

नई दिल्ली, 23 अप्रैल, 1993

का. धा. 989.—केन्द्रीय सरकार का यह समाधान हो गया है कि लोकहित में यह अपेक्षित है कि औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की पहली अनुसूची में प्रविष्टि 17 के अन्तर्गत आने वाले तेल क्षेत्र में सेवा उक्त अधिनियम के प्रयोजनार्थ लोकोपयोगी सेवा घोषित की जाये,

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (क) के उपखण्ड (vi) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त अधिनियम के प्रयोजनार्थ उक्त उद्योग को तत्काल प्रभाव से छह माह की अवधि के लिए लोकोपयोगी सेवा घोषित करती है।

[संख्या एस-11017/5/85-डी-1(ए)]

एस.एस. पराशर, अपर सचिव

New Delhi, the 23rd April, 1993

S.O. 989.—Whereas the Central Government is satisfied that the public interest requires that the service in any Oil-field which is covered by entry 17 in the First Schedule to the Industrial Disputes Act, 1947 (14 of 1947), should be declared to be public utility service for the purpose of the said Act;

Now, therefore, in exercise of the powers conferred by sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares with immediate effect the said industry to be a public utility service for the purposes of the said Act for a period of six months.

[No. S-11017/5/85-D.I(A)]

S. S. PRASHER, Under Secy.

नई दिल्ली, 28 अप्रैल, 1993

का.भा. 990.—केन्द्रीय सरकार ने यह समाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (क) के उपखण्ड (vi) के उपबन्धों के अनुसरण में भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का.भा. 2882 दिनांक 21 अक्टूबर, 1992 द्वारा यूरेनियम उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 30 अक्टूबर, 1992 से छह मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था,

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छह मास की ओर कालावधि के लिए बढ़ाया जाना अपेक्षित है,

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (क) के उपखंड (vi) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 30 अप्रैल, 1993 से छह मास की ओर कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[फा. सं. एस-11017/10/85-डी-1(ए)]

एस.एस. पराशर, अवर सचिव

New Delhi, the 28th April, 1993

S.O. 990.—Whereas the Central Government having been satisfied that the public interest to required had, in pursuance of the provision of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the Notification of the Government of India, in the Ministry of Labour S.O. No. 2882 dated the 21st October, 1992, the Uranium Industry to be a public utility service for the purposes of the said Act, for a period of six months, from the 30th October, 1992;

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purpose of the said Act, for a further period of six months from the 30th April, 1993.

[No. S-11017/10/85-D.I(A)]

S. S. PRASHER, Under Secy.

नई दिल्ली, 26 अप्रैल, 1993

का.भा. 991.—उत्प्रवास अधिनियम, 1983 (1983 का 31) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये केन्द्रीय सरकार श्री एम.जे. सेबेस्टियन, अनुभाग अधिकारी को दिनांक 1-1-93 से भगला आदेश जारी होने तक उत्प्रवास संरक्षी, कोचीन के रूप में नियुक्त करती है।

[संख्या ए-22012/1/92-उत्प्रवास]

आर.के. गुप्ता, अवर सचिव

New Delhi, the 26th April, 1993

S.O. 991.—In exercise of the powers conferred by Section 3, Sub-section (1) of the Emigration Act, 1983 (31 of 1983), the Central Government hereby appoints Shri M. J. Sebastian, Section Officer as Protector of Emigrants Cochin with effect from 1-1-93 till further orders.

[No. A-22012/1/92-Emig.]

R. K. GUPTA, Under Secy.

नई दिल्ली, 26 अप्रैल, 1993

का.भा. 992.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 15-5-93 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 धारा-44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है (और अध्याय-5 और 6) धारा-76 की उपधारा (1) धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है के उपबन्ध उड़ीसा राज्य के निम्न-लिखित क्षेत्र में प्रवृत्त होंगे, अर्थात्:—

“जिला कटक की तहसील कुजुना में राजस्व ग्राम भीटारागढ़ चौलिया पलाड़ा और उदयाचन्द्रपुर के अन्तर्गत आने वाले क्षेत्र”।

[संख्या-एस. 38013/8/93-एस.एस. I]

जे. पी. शुक्ला, अवर सचिव

New Delhi, the 26th April, 1993

S.O. 992.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 15th May, 1993 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter V and VI (except sub-section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Orissa namely:—

“The areas comprising of revenue villages Bhitaraagadh, Chaulia Palada and Udayachandrapur in Kujanga Tehsil of District Cuttack.”

[No. S-38013/8/93-SS.I]

J. P. SHUKLA, Under Secy.

नई दिल्ली, 29 अप्रैल, 1993

का.ग्रा. 993.—अबकि मै. हिन्दुस्तान शिपयार्ड लि. विनाशापत्तनम-530005 (इसके बाद इस अधिसूचना में उक्त स्थापना का उल्लेख स्थापना के रूप में किया गया है) ने कर्मचारी भविष्य निधि स्कीम 1952 (इसके बाद इस अधिसूचना में उक्त स्कीम का उल्लेख स्कीम के रूप में किया गया है) की धारा 27ए के तहत अपने नियमित कर्मचारियों के लिए छूट प्रदान करने के लिए आवेदन किया है।

और जबकि केन्द्र सरकार की यह राय है कि भविष्य निधि के लिए अंशदान की दर से संबंधित उक्त स्थापना के भविष्य निधि के नियमों में दिए गए दर कर्मचारी भविष्य निधि एवं विविध प्रकरण अधिनियम 1952 की धारा 4 एवं उक्त स्कीम में निर्दिष्ट उनके कर्मचारियों के लिए निर्धारित नियमों में निर्दिष्ट दरों से कम नहीं है, तथा यह कि उनके कर्मचारी दूसरे ऐसे भविष्य निधि लाभ उठा रहे हैं जो समय रूप में सद्गुण प्रकृति की स्थापना के कर्मचारियों से संबंधित उक्त अधिनियम अथवा उक्त स्कीम के अन्तर्गत बनाए गए प्रावधानों के तहत दिए जाने वाले लाभों से कम नहीं है।

जबकि अब उक्त स्कीम की धारा 27-ए द्वारा प्रदत्त शक्तियों का इसके साथ संलग्न अनुसूची में निर्दिष्ट शर्तों के अनुसार प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा उक्त स्थापना के नियमित कर्मचारियों के लिए उक्त स्कीम के सभी प्रावधानों के लागू होने से छूट प्रदान करती है।

#### अनुसूची

1. नियोजक, स्थापना के संबंध में केन्द्र सरकार द्वारा उक्त स्कीम की धारा 27ए क उपधारा (2) के तहत-समय समय पर निर्दिष्ट निरीक्षण सुविधा प्रदान करेंगे एवं निरीक्षण प्रभार की अदायगी करेंगे।

2. न छूट प्राप्त स्थापनाओं के संबंध में उक्त अधिनियम और उसके अधीन सृजित उक्त स्कीम के अन्तर्गत देय अंशदान के दर से स्थापना के भविष्य निधि नियमों के अन्तर्गत देय अंशदान का दर किसी समय भी कम न होगा।

3. पेशगियों के मामले में छूट प्राप्त स्थापना की स्कीम कर्मचारी भविष्य निधि स्कीम, 1952 से कम हितकर नहीं होगी।

4. उक्त स्कीम में कोई भी संशोधन जो स्थापना के वर्तमान नियमों से अधिक लाभकारी है उन पर अपने आप लागू किया जाएगा। उक्त स्थापना के भविष्य निधि नियमों में कोई भी संशोधन क्षेत्रीय भविष्य निधि आयुक्त की पूर्ण अनुमति के बिना नहीं किया जायगा और जहाँ किसी संशोधन से उक्त स्थापना के कर्मचारियों के हित के प्रति-कूल प्रभावी होने की संभावना है वहाँ अपनी अनुमति से पूर्ण, क्षेत्रीय भविष्य निधि आयुक्त कर्मचारियों को अपने विचार प्रस्तुत करने का उचित अवसर देगा।

5. यदि स्थापना को छूट न दी जाती तो ये सभी कर्मचारी (जैसे उक्त अधिनियम की धारा 2(त्र) में निश्चित किया गया है) जो सदस्य बनने के पास होने मदद नमा जाएंगे।

6. जहाँ एक कर्मचारी जो कर्मचारी भविष्य निधि (कानूनी) या किसी अन्य छूट प्राप्त स्थापना का पहले से सदस्य है, को अपनी स्थापना में कम पर लगाया जाता है तो नियोजता उसे निधि का तुरन्त सदस्य बनाएगा और ऐसे कर्मचारी के पिछले नियोजता के पास भविष्य निधि लेखे में संघर्षों को अंतर्निहित कराने और उसके लेखे में जमा कराने को व्यवस्था करेगा।

7. केन्द्रीय भविष्य निधि आयुक्त के द्वारा अथवा केन्द्रीय सरकार के द्वारा जैसे भी मामला हो समय-समय पर दिए गए निर्देशों के अनुसार भविष्य निधि के प्रवर्ध के लिए नियोजता न्यासी बोर्ड की स्थापना करेगा।

8. भविष्य निधि, न्यासी बोर्ड में निहित होगा जो अन्य बातों के होते हुए भविष्य निधि में आय के उचित लेखा और भविष्य निधि के अदायगियों और उनकी अभिरक्षा में शेषों के लिए कर्मचारी भविष्य निधि संगठन के प्रति उत्तरदायी होगा।

9 तथा 10. न्यासी बोर्ड कम से कम 3 माह में एक बार बैठक करेंगे और केन्द्र सरकार के भ. नि. आयुक्त या उसके द्वारा अधिकृत किसी अधिकारी द्वारा समय-समय पर जारी किये गये मार्ग निर्देशों के अनुसार कार्य करेंगे न्यासी बोर्डों द्वारा रखे गए भविष्य निधि लेखों की लेखापरीक्षा वार्षिक रूप से योग्य सनदी लेखापाल द्वारा स्वतंत्र रूप में की जायेगी। जहाँ भी आवश्यक होगा केन्द्रीय भविष्य निधि आयुक्त को अधिकार होगा कि वह किसी अन्य योग्य लेखा परीक्षक से खातों की दुबारा लेखा परीक्षा कराए और ऐसे पुनः लेखा परीक्षा के खर्च नियोजता वहन करेगा।

11. प्रत्येक वर्ष स्थापना के लेखा परीक्षित तुल्य पत्र के साथ लेखापरीक्षा वार्षिक भविष्य निधि लेखों की एक वित्तीय वर्ष की समाप्ति छः माह के अन्दर क्षेत्रीय भविष्य निधि आयुक्त को प्रस्तुत की जाएगी। इस प्रयोजन के लिए भविष्य निधि का वित्तीय वर्ष पहली अप्रैल से 31 मार्च तक होगा।

12. नियोजता प्रतिमाह भविष्य निधि के देय अपने कर्मचारियों के अंशदानों को आगामी माह की 15 तारीख तक न्यासी बोर्ड को अंतर्निहित कर देगा। अंशदानों की विलम्ब से अदायगी करने के लिए समान परिस्थितियों में नियोजता हर्जाना देने का उसी प्रकार उत्तरदायी होगा जिस प्रकार एक न छूट प्राप्त स्थापना उत्तरदायी होती है।

13. न्यासी बोर्ड सरकार द्वारा समय-समय पर दिए गए निर्देशों के अनुसार निधि में जमा राशियों का निवेश करेगा। प्रतिभूतियाँ न्यासी बोर्ड के नाम पर प्राप्त की जाएंगी और भारतीय रिजर्व बैंक के जमा निगमन में अनुमूचित बैंक की अभिरक्षा में रखा जाएगा।

14. सरकार के निर्देशानुसार निवेश न करने की स्थिति में न्यासी बोर्ड अलग-अलग रूप में वह संयुक्त रूप में केन्द्रीय भविष्य निधि आयुक्त या उसके प्रतिनिधियों द्वारा लगाये गये अधिक अधिभार का उत्तरदायी होगा।

15. न्यासी बोर्ड एक वस्तुवार व्यय रजिस्टर तैयार करेगा और व्यय तथा विमोचन आय की समय पर समूची सुनिश्चित करेगा।

16. न्यासी बोर्ड जमा किए गए व निकाले गए अंशदानों और प्रत्येक कर्मचारी से संबंधित व्यय को दिखाने के लिए विस्तृत लेख तैयार करेगा।

17. वित्तीय लेखा वर्ष की समाप्ति के छः माह के अन्दर बोर्ड प्रत्येक कर्मचारी को वार्षिक लेखा विवरण जारी करेगा।

18. बोर्ड प्रत्येक कर्मचारी को, वार्षिक लेखा विवरण के स्थान पर, पास वक जारी कर सकता है। ये पास वक कर्मचारियों की अधीक्षण में रहेगी और कर्मचारियों द्वारा प्रस्तुत करने पर बोर्ड द्वारा इन्हें अद्यतन किया जायेगा।

19. लेखा वर्ष के पहले दिन के आदि शेप पर प्रत्येक कर्मचारी के लेख में व्यय उस दर पर जमा किया जायेगा, जिसका न्यासी बोर्ड निर्णय करें परन्तु यह उक्त स्कीम के पैरा 60 के अन्तर्गत "केन्द्रीय" सरकार द्वारा घोषित दर से कम नहीं होगा।

20. यदि न्यासी बोर्ड केन्द्रीय सरकार द्वारा घोषित व्यय की दर इस कारण से कि निवेश पर आय कम है या किसी अन्य कारण से भ्रष्टा करने में असमर्थ है तो इस कमी को नियोक्ता पूरा करेगा।

21. नियोक्ता भविष्य निधि की चोरी के कारण लूटखसोट, खानत, गबन अथवा किसी अन्य कारण से हुई हानि को भी पूरा करेगा।

22. नियोक्ता और न्यासी बोर्ड, क्षेत्रीय भविष्य निधि आयुक्त को ऐसी विवरणियां प्रस्तुत करेगा जो समय-समय पर केन्द्रीय सरकार केन्द्रीय भविष्य निधि आयुक्त निर्धारित करें।

23. उक्त स्कीम के पैरा 69 की शैली पर किसी कर्मचारी को निधि के सदस्य न रहने पर यदि स्थापना के भविष्य निधि नियमों में नियोक्ताओं के अंशदानों को जप्त करने की व्यवस्था है तो न्यासी बोर्ड इस प्रकार जप्त की गई राशियों का अलग से लेखा तैयार करेगा और उसे ऐसे प्रयोजनों के लिए उपयोग करेगा जो केन्द्रीय भविष्य निधि आयुक्त की पूर्ण अनुमति से सुनिश्चित किया गया हो।

24. स्थापना के.भ.नि. नियमों में किसी बात के होते हुए भी सेवानिवृत्त होने अथवा किसी अन्य स्थापना में रोजगार लगने के परिणामस्वरूप किसी व्यक्ति के निधि की सदस्यता न रहने पर यदि वह देखने में आता है कि स्थापना के.भ.नि. नियमों के अन्तर्गत अंशदान की दर, जम्मा आदि की दर,

सांविधिक स्कीम की दरों की तुलना में कम अनुकूल हैं तो उसका अंतर नियोक्ता द्वारा दिया जाएगा।

25. नियोक्ता, भविष्य निधि के प्रशासन से संबंधित सभी खर्च जिसमें लेखों के रख-रखाव रिटर्न प्रस्तुत किए जाने, राशियों का अन्तरण शामिल है, वहन करेगा।

26. नियोक्ता समुचित प्राधिकारी द्वारा अनुमोदित निधि के नियमों की एक प्रति तथा जब भी कोई संशोधन होता है, उसकी मुख्य बातों को कर्मचारियों के बहुमत की भाषा में अनुवाद करके स्थापना के बोर्ड पर लगाएगा।

27. "समुचित सरकार" स्थापना की चालू छूट पर और शर्तें लगा सकती है।

28. यदि उक्त अधिनियम के अन्तर्गत स्थापना वर्ग जिसमें उसकी स्थापना आती है। पर अंशदान की दर बढ़ाई जाती है, नियोक्ता भविष्य निधि अंशदान की दर उचित रूप में बढ़ाएगा, ताकि उक्त अधिनियम के अन्तर्गत दिये जाने वाले लाभों से स्थापना की स्कीम के अन्तर्गत दिये जाने वाले भविष्य निधि के लाभ किसी भी प्रकार से कम न हों।

29. उक्त शर्तों में से किसी एक के उल्लंघन पर छूट रद्द की जा सकती है।

[सं. एस-35017/1/91-एस एस-II]

जे. पी. शुक्ला, अधीक्षक सचिव

New Delhi, the 29th April, 1993

S.O. 993.—Whereas Messrs Hindustan Shipyard Limited, Viskahapatnam-530 005 (hereinafter referred to as the said establishment) has applied for grant of exemption to its regular employees under paragraph 27-A of the Employee's Provident Funds Scheme, 1952 (hereinafter referred to as the said Scheme);

And whereas in the opinion of the Central Government the rules of the Provident Fund of the said establishment with respect to the rates of contribution are not less favourable to their employees than those specified in section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 and the said Scheme; and that their employees are also in enjoyment of other provident fund benefits which on the whole are not less favourable than the benefits provided under the Act or the said scheme in relation to the employees in any other establishment of a similar character;

Now therefore, in exercise of the powers conferred by paragraph 27-A of the said scheme, and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the regular employees of the said establishment from the operation of all the provisions of the said Scheme.

#### SCHEDULE

1. The employer in relation to the said establishment shall provide for such facilities for inspection

and pay such inspection charges as the Central Government may from time to time direct under sub-para(2) of para 27-A of the said Scheme.

2. The rate of contribution payable under the provident fund rules of the establishment shall at no time be lower than those payable under the said Act in respect of the unexempted establishments and Scheme framed thereunder.

3. In the matter of advances, the scheme of the exempted establishment shall not be less favourable than the Employees Provident Fund Scheme, 1972.

4. Any amendment to the said scheme this is more beneficial to the employees than the existing rules of the establishment shall be made applicable to them automatically no amendment of the rules of the provident fund of the said establishment shall be made without the previous approval of the Regional Provident Fund Commissioner and where any amendment is likely to affect adversely the interest of the employees of the said establishment, the Regional Provident Fund Commissioner shall, before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

5. All employees (as defined in section 2 (f) of the said Act) who would have been eligible to become members of the Provident Fund had the establishment not been granted exemption shall be enrolled as members.

6. Where an employee who is already a member of the Employees' Provident Fund (Statutory) or a Provident Fund of any other exempted establishment is employed in his establishment, the employer shall immediately enroll him as a member of the fund and arrange to have the accumulations in the provident fund account of such employee with his previous employer transferred and credited to his account.

7. The employer shall establish a Board of Trustees for the management of the provident fund according to such directions as may be given by the Central Provident Fund Commissioner or by the Central Government, as the case may be, from time to time.

8. The provident fund shall vest in the Board of Trustees who will be responsible for and accountable to the Employees' Provident Fund Organisation inter-alia for proper accounts of the receipts into and payments from the Provident Fund and the balance in their custody.

9. The Board of Trustees shall meet at least once in every three months and shall function in accordance with the guidelines that may be issued from time to time by the Central Government/Central Provident Fund Commissioner or an officer authorised by him.

10. The accounts of the Provident Fund maintained by the Board of Trustees shall be subject to audit by a qualified independent Chartered Accountant annually. Where considered necessary, the Central Provident Fund Commissioner shall have

the right to have the accounts re-audited by any other qualified auditor and the expenses so incurred shall be borne by the employer.

11. A copy of the audited annual provident fund accounts together with the audited balance sheet of the establishment for each accounting year shall be submitted to the Regional Provident Fund Commissioner within six months after the close of the financial year. For this purpose the financial year of the provident fund shall be from the 1st of April to the 31st of March.

12. The employer shall transfer to the Board of Trustees the contributions payable to the Provident Fund by himself and the employees by the 15th of each month following the month for which the contributions are payable. The employer shall be liable to pay damages to the Board of Trustees for any delay in payment of the contributions in the same manner as an unexempted establishment is liable under similar circumstances.

13. The Board of Trustees shall invest the monies in the fund as per directions that may be given by the Government from time to time. The securities shall be obtained in the name of the Board of Trustees and shall be kept in the custody of a Scheduled Bank under the Credit Central of the Reserve Bank of India.

14. Failure to make the investments as per directions of the Government shall make the Board of Trustees severally and jointly liable to surcharge as may be imposed by the Central Provident Fund Commissioner or his representative.

15. The Board of Trustees shall maintain a serial-wise register and ensure timely realisation of interest and redemption proceeds.

16. The Board of Trustees shall maintain detailed accounts to show the contributions credited, withdrawal and interest in respect of each employee.

17. The Board shall issue an annual statement of account to every employee within six months of the close of financial accounting year.

18. The Board may, instead of the annual statement of accounts, issue passbooks to every employee. These passbooks shall remain in the custody of the employees and will be brought up to date by the Board on presentation by the employees.

19. The account of each employee shall be credited interest calculated on the opening balance as on the 1st day of the accounting year at such date may be decided by the Board of Trustees but shall not be lower than the rate declared by the Central Government under para 60 of the said Scheme.

20. If the Board of Trustees are unable to pay interest at the rate declared by the Central Government for the reasons that the return on investment is less or for any other reason, than the deficiency shall be made good by the employer.

21. The employer shall also make good any other loss that may be caused to the Provident Fund due to theft burglary, defalcation, mis-appropriation or any other reason.

22. The employer as well as the Board of Trustees shall submit such returns to the Regional Provident Fund Commissioner as the Central Government/Central Provident Fund Commissioner may prescribe from time to time.

23. If the Provident Fund rules of the establishment provide for forfeiture of the employees' contribution in cases where an employee ceases to be a member of the fund on the lines of para 69 of the said Scheme, the Board of Trustees shall maintain a separate account of the amounts so forfeited and may utilise the same for such purposes as may be determined with the prior approval of the Central Provident Fund Commissioner.

24. Notwithstanding anything contained in the provident fund rules of the establishment, if on the cessation of any individual, from the membership of the fund consequent on retiring from service or on taking up the employment in some other establishment, it is found that the rate of contribution, rate of forfeiture etc. under the provident fund rules of the establishment are less favourable as compared to those under the statutory scheme, the difference shall be borne by the employer.

25. The employer shall bear all the expenses of the administration of the Provident Fund including the maintenance of Accounts submission of returns, transfer of accumulations.

26. The employer shall display on the notice board of the establishment, a copy of the rules of the fund as approved by the appropriate authority and as and when amended hereto alongwith a translation of the salient points thereof in the language of the majority of the employees.

27. "appropriate Government" may law down any further conditions for continued exemption of the establishment.

28. The employee shall enhance the rate of provident fund contributions appropriately if the rate of provident fund contribution for the class of establishments in which his establishment falls is enhanced under the said Act to that the benefits under the provident Fund Scheme of the establishment shall not become less favourable than the benefits provided under the said Act.

29. The exemption is liable to be cancelled for violation of any of the above conditions.

[No. S-35017/1/91-SS.II]

J. P. SHUKLA, Under Secy.

नई दिल्ली, 26 अप्रैल, 1993

का.ग्रा. 994.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबन्धसूत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण व श्रमन्यायलय कानपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 26-4-93 को प्राप्त हुआ था।

[संख्या एल-12012/92/90-आई.आर. (बी.-3)]

एस.के. जैन, डेस्क अधिकारी

New Delhi, the 26th April, 1993

S.O. 994.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal-cum-Labour Court, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of State Bank of India and their workmen, which was received by the Central Government on the 26-4-93.

[No. L-12012/92/90-IR(B-3)]

S. K. JAIN, Desk Officer

#### ANNEXURE

BEFORE SRI ARJAN DEV, PRESIDING OFFICER,  
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-  
CUM-LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 191 of 1990

In the matter of dispute between :

Sri Satya Dev Sharma,  
C/o Sri V. K. Gupta,  
2-363, Nanaair, Agra.

AND

Regional Manager,  
State Bank of India Region III,  
Lauris Hotel,  
Agra.

#### AWARD

1. The Central Government, Ministry of Labour, vide its notification No. L-12012/92/90-IR(B-3) dated 28th August, 1990, has referred the following dispute for adjudication to this Tribunal:

Whether the Regional Manager, Region III State Bank of India, Agra, was justified in terminating the services of Sri Satya Dev Sharma as Messengers-cum-waterboy w.e.f. 31-12-86? If not, to what relief the workman concerned is entitled to?

2. The workman's case in brief that he was appointed as Messenger-cum-Water Boy at Hathras Branch of State Bank of India and consequent upon his appointment he had worked in the said branch for 326 days from July 1982 to December, 1986. However, his services were terminated illegally without notice and without passing of any written order. After the termination of his services new hands were appointed by the management. The workman has, therefore, prayed for declaring the order of termination of his services as illegal and have further prayed for his reinstatement in bank's service with retrospective effect with full back wages and other consequential benefits.

3. The case is contested by the management of the bank. The management pleaded that at Hathras Branch there had been often power cuts. In fact it had become a routine feature at Hathras. To overcome the difficulty the Hathras Branch of the bank decided to use patromax lamps, during power cut. Since the workman was quite expert in lighting patromax lamps, his services were utilised by the bank's branch at Hathras for 79 days in 1982, for 82 days in 1983, for 2 days in 1984 and for 13 days in 1986. His services were not utilised even for a single day in 1985. Subsequently provision for generator was made at the branch and consequently the use of patromax lamp was discontinued. The other pleas raised by the management are that the workman had raised the dispute belatedly in 1989 before ALC(C), and that the Branch Manager had no authority to appoint or terminate any officer. The management deny that the services of the workman were terminated illegally. As regards recruitment of new hands, the management plead that it is a regular feature in the bank. If a person fulfills the eligibility criteria for appointment he may compete. After the non-utilisation of the services of the workman, the bank had not recruited any person for lighting patromax lamps. Hence the workman is not entitled to any relief.

4. In support of his case the workman has examined himself. On the other hand, in support of their case, the management have examined M.W. 1 Sri S. N. Rawat, Desk Officer, Region II, S.B.I., Agra and M.W. 2 Sri Phool Chand Gupta an officer of the bank posted as Accountant in the Hathras Branch.

5. The workman's case in short is that he had worked for 326 days as messenger cum water boy during the period July, 1982 to December, 1986. On the other hand, the management's case is that his services had been only utilised for lighting patromax lamps, for 176 days as per details given in para (3) of the written statement under the Head preliminary Objection.

6. Let us assume that the workman had worked for 326 days as Messenger cum Waterboy. In his cross examination the workman has deposed that he had worked for 101 days in 1982 and for 103 days in 1983. According to him he cannot even tell approximately as to for how many days he had worked in 1984, 1985 and 1986. No where he says that he did not work at all during any of these years. It follows that whereas he had worked for 204 days during 1982 and 1983, he had worked for 122 days during 1984, 1985 and 1986. Thus he having not worked for 240 days during the period of 12 months preceding the date of termination of his services, the provisions of section 25F I.D. Act, would not apply in his case. Similarly as has been held by me in I.D. No. 94 of 1986, Sri Mani Ram versus Regional Manager, Central Bank of India, Kanpur, after fully discussing the position of law in this case, the provisions of section 25C read with Rule 77 and Sec. 25H read with Rule 78 of the I.D. (Central) Rules, 1957, would also not apply. Therefore, even on the facts alleged the workman is entitled to no relief.

7. On the point of nature of duty the workman has deposed in his cross examination that often the light went off at Hathras. According to him there were twenty-two patromax lamps in the bank's branch at Hathras. He says that whenever the person who lighted these patromax lamps did not turn up he used to light them. I may state here that there is no documentary evidence from the side of the workman in support of his case that he was ever appointed as messenger cum waterboy. On the other hand, it has been deposed by M.W. 2 Sri Phool Chand Gupta, that the only job of the workman was to light the patromax. Looking to the facts and circumstances I too feel that the workman had been kept for lighting patromax lamps. In his cross examination, M.W. 1 Sri S. N. Rawat has deposed that Generator was provided at Hathras Branch some time in 1983 or 1984. M.W. 2 Sri Gupta has also deposed in his affidavit that the generator was provided in the branch because of usual power cuts in the months of June 83. Thereafter, the services of the workman were utilised very rarely i.e., to say only on occasions when the generator also went out of order.

8. It is, therefore, held that the action of the Regional Manager, Region III State Bank of India, in terminating the services of the workman cannot be held as unjustified. Hence the workman is entitled to no relief.

9. Reference is answered accordingly.

ARJAN DEV, Presiding Officer

नई दिल्ली, 27 अप्रैल, 1993

का. प्र. 995.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय रिजर्व बैंक के प्रबन्धसंच के संबंध में निदेशों और उनके कर्मचारियों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण व धर्म न्यायालय, बंगलौर के पंचाद को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-4-93 की प्राप्त हुआ था।

[नं. एन-12015/3/93- आई आर (बी-1)]

एस. के. जैन, डैस्क अधिकारी

New Delhi, the 27th April, 1993

S.O. 995.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal-cum-Labour Court, Bangalore as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Reserve Bank of India and their workmen, which was received by the Central Government on the 12th April, 1993.

[No. L-12015/3/93-I.R. (B.1)]

S. K. JAIN, Desk Officer

## ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, BANGALORE

Dated, this 31st day of March, 1993

PRESENT :

Shri M. B. Vishwanath, B.Sc., B.L., Presiding Officer.

Misc. Application No. 1/92

Applicant :

The Manager,  
Reserve Bank of India,  
Bangalore.

v/s.

Respondent :

The General Secretary,  
Reserve Bank Workers' Organisation,  
Bangalore.

## ORDER

This application has been filed by the Manager, Reserve Bank of India, Bangalore Under Sec. 33(1)(a) of the I.D. Act praying that this Tribunal be pleased to permit the RBI to make appointments of the dependants of the deceased employees shown in the annexure produced alongwith the petition. In the annexure 4 persons are shown as the deceased employees. The R.B.I. has prayed that this Tribunal should permit it to appoint on compassionate grounds the dependants of the deceased employees.

2. The petition under Sec. 33(1)(a) of I.D. Act is accompanied by the affidavit of the Manager of the R.B.I. (Razdan). In the affidavit he has sworn that reference C.R. 25/91 has been pending in this Tribunal regarding not regularising the services of 32 ticca mazdoors/ daily-rated employees. R.B.I. is the II party in that reference. He has sworn that one dependant of each of the 4 deceased employees shown in the annexure is entitled to be appointed on compassionate grounds. But the R.B.I. has not been able to make the appointment in view of pendency of C.R. 25/91 between RBI and 32 ticca mazdoors. He has sworn that the ticca mazdoors (members of I party in C.R. 25/91) can have no objection to the appointments of dependants of deceased employees on compassionate grounds.

3. The contesting party is the General Secretary, Reserve Bank Workers' Organisation, Bangalore. It has no objection to allow this application subject to the rights of the ticca mazdoors in C.R. 25/91.

4. The Reserve Bank of India wants to make appointments of the dependants of the deceased employees on compassionate grounds. The case of the RBI is that it cannot make appointments in view of the pendency of CR 25/91.

5. As has already been stated the application has been filed by the Employer RBI under Sec. 33(1)(a) of the I.D. Act. Section 33(1)(a) in so far as it is relevant for our present purpose says :

(1) During the pendency of any proceeding before the Tribunal in respect of an industrial dispute, no employer shall in regard to any matter connected with



the dispute, alter, to the prejudice of the workman concerned in such dispute, the conditions of service applicable to them immediately before the commencement of such proceeding.

So the essential ingredient for the application of Sec. 33(1)(a) is that a dispute (reference) should be pending between the workman and the management and in regard to those workmen and the management and in regard to those workman the management (employer) cannot alter the service conditions of service to the prejudice of those workmen who are parties in the reference during the pendency of that dispute without the permission of the Tribunal.

6. What is the position at present in this miscellaneous application? Admittedly, the RBI wants to make appointments on compassionate grounds in respect of the four deceased employees. Those 4 employees are not parties in C.R. 25/91. Thus both the conditions contemplated under Sec. 33(1)(a) are not fulfilled.

7. It should be clearly borne in mind that it is not the case of the RBI that it wants to alter the conditions of service of any workman or workmen against whom dispute is pending. The deceased employees in respect of the dependants of whom the RBI wants to make appointments on compassionate grounds are wholly unconnected with C.R. 25/91.

8. I repeat. In respect of the deceased employees the RBI wants to give appointment to the dependant of each deceased employee shown in the annexure on compassionate grounds. No dispute is pending between the deceased employees or their dependants and the RBI. More importantly, the management is not at all altering the service conditions of any of the workman who are parties in C.R. 25/91.

9. For the aforesaid reasons, I am of opinion, Sec. 33(1)(a) has no application. The Tribunal has no jurisdiction to assume the role of a public service commission and permit the RBI (employer) to make appointments on compassionate grounds. The application under Sec. 33(1)(a) has to be rejected. Since the basic condition for application of Sec. 33(1)(a) is not satisfied, the authorities submitted by both parties have no application.

10. Industrial dispute means any dispute or difference between employers and workmen which is connected with the employment or non-employment of any person. Admittedly the four deceased persons, though not parties in C.R. 25/91, were workmen and the present application relates to employment or non-employment of any person. So order passed amounts to an award. Accordingly copies of this order which amounts to an award shall be submitted to Hon'ble Central Government.

#### ORDER

The application under Section 33(1)(a) of I. Act is rejected.

This order shall not come in the way of the R.B.I. to make appointments on compassionate grounds if law permits.

Submit to Government.

(Dictated to Stenographer, typed by him, corrected, signed by me on this 31st day of March, 1993).

M. B. VISHWANATH, Presiding Officer

नई दिल्ली, 27 अप्रैल, 1993

का.आ. 996.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, इंडियन बैंक के प्रबन्धन के संवद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में औद्योगिक अधिकरण, भुवनेश्वर के पंचपद को प्रकाशित करती है, जो केन्द्रीय सरकार को 26-4-1993 को प्राप्त हुआ था।

[संख्या एन-12012/38/82-डी-2(ए)]

बी.के. वेणुगोपालन, डेस्क अधिकारी

New Delhi, the 27th April, 1993

S.O. 996.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Bhubaneswar as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Indian Bank and their workmen, which was received by the Central Government on 26-4-1993.

[No. L-12012/38/82-D-II(A)]

V. K. VENUGOPALAN, Desk Officer

#### ANNEXURE

INDUSTRIAL TRIBUNAL, ORISSA, BHUBANESWAR

PRESENT :

Sri R. K. Dash, LL.B., Presiding Officer, Industrial Tribunal, Orissa, Bhubaneswar.

INDUSTRIAL DISPUTE CASE NO. 37 OF 1990

(CENTRAL)

Dated, Bhubaneswar, the 14th April, 1993

BETWEEN

The Management of Indian Bank, Zonal Office, 24 Park Street, Calcutta-700016.

First Party-management

(AND)

Their workman Sri B. B. Swain Mohapatra represented through Indian Bank Employees Union (Orissa Unit), C/o : Indian Bank, Cuttack-753001.

.. Second party-workman.

APPEARANCES :

Sri S. B. Nanda, Advocate—for the first party-management.

Sri J. K. Das, Advocate—for the second party-workman.

#### AWARD

The Government of India in the Ministry of Labour in exercise of powers conferred upon it by clause-(d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) (hereinafter referred to as the 'Act') have referred the following dispute for adjudication by this Tribunal vide their Order No.—L-12012/38/82-D-II(A) dated 5th October, 1990 :—

"Whether the action of the management of Indian Bank in dismissing w.e.f. 23-3-81 Sri B. B. Swain Mohapatra, Clerk in Indian Bank at Biridi, District Cuttack, Orissa was proper and justified? If not, to what relief the workman is entitled?"

2. To put shortly, the case of the management of the Indian Bank is that in 1978 the present workman and one Mr. Manoranjan Misra were Clerks in Biridi Branch. On 8-9-1978 the Branch Manager of the said bank sent an envelope containing his T.A. Bill and other relevant receipts to Biridi sub Post Office to be despatched to the Assistant General Manager, Calcutta by registered post. The said envelope was received and registered in the post office at about 12 Noon. About half an hour thereafter both Sri Mohapatra and Sri Misra approached the Post Master to allow them to make some corrections in the contents of the said registered letter. Because they were known to him as employees of the Bank he in good faith handed over the registered envelope for making necessary corrections as desired. Sometime after they returned back the said envelope after posting the same with gum. When it reached the destination and was opened

by the addressee it was found to have contained only blank I.B.G.L. schedules and not those documents which were despatched. On being informed, the Branch Manager made an enquiry and came to know from the Post Master that the present workman and his colleague Mr. Misra were the perpetrators of the mischief. So, they were charge-sheeted for misconduct which led to the domestic enquiries were both of them were found guilty. Thereupon the management on going through the enquiry report and the materials collected during enquiry inflicted major punishment by dismissing them from service. So far the present workman is concerned, he carried an appeal to the General Manager (Services) who on consideration of the various stands taken by him, dismissed the appeal. Feeling aggrieved, he approached the labour machinery for necessary relief. Ultimately, the Government of India in the Ministry of Labour has referred the present dispute to find out if the action of the management in dismissing the workman from service is legal and justified.

3. The workman while pleading his innocence to the charge has stated inter alia that the domestic enquiry so held against him was unfair and improper. By elaborating his stand, he urges that he had not been given reasonable opportunities to defend himself in the enquiry. Not only that neither he nor his representative were given chance to go through the documents of the management before they were brought in evidence. To add to it, the enquiry officer also did not function in an unbiased manner. Without making any appraisal of the evidence led during enquiry he jumped to the conclusion of guilt of the workman. In so far as the punishment is concerned, it is emphatically urged that it is shockingly disproportionate to the alleged misconduct said to have been committed by the workman.

4. In view of the pleadings of the parties, the first and foremost question for decision is whether the domestic enquiry held against the workman was fair and proper.

5. Learned counsel for the workman challenging the fairness of the enquiry raised the following contentions :—

- (1) that there was no specific indication in the charge-sheet as to when and to the workman was required to submit his explanation;
- (2) that copies of the documents relied on by the management had not been supplied to the workman;
- (3) that list of the witnesses was not furnished;
- (4) that after close of the management's case no opportunity had been afforded to the workman to adduce evidence; and
- (5) that the alleged act did not amount to misconduct and moreover the enquiry officer did not scan the evidence in proper way while arriving at the conclusion of the guilt of the workman.

6. Contravening the aforesaid submissions, learned counsel for the management strenuously urged that the domestic enquiry was fair and proper and there was no infraction of the principles of natural justice. The workman was although being represented by his co-worker and all reasonable opportunities had been given to him to prove his innocence.

All the aforesaid contentions require close scrutiny to arrive at a finding as to the fairness or otherwise of the domestic enquiry.

7. To repeat with the only charge against the workman was that on 8-9-1978 he alongwith his colleague Mr. M. R. Misra went to the Biridi sub-post office and removed the official papers from the registered envelope and in their place inserted some blank forms. This being a misconduct, charge sheets were laid separately against them and explanation called for. True it is, no date had been fixed in the charge-sheet within which the workman was to submit his explanation, but this omission by itself is not so material to hold that any prejudice had been caused to the workman. Rather, absence of any specific date for submission of explanation, to my mind, en-

sured to the benefit of the workman. Taking advantage of such omission he could have filed his explanation, even on the very day the hearing of the enquiry was taken-up. In this view of the matter, omission as pointed out above, can not be said to have caused any prejudice to the workman.

8. The second grievance of the workman is that he could not effectively defend himself due to non-supply of the documents relied upon by the management. As the record reveals, he complained to the Enquiry Officer that prior to the taking up the enquiry the copies of all the documents should be furnished to him (see Ext. A). The original of Ext. A although could not be brought in evidence but however an endorsement made therein marked Ext. 13 would reveal that necessary documents relied upon by the management had been furnished to the workman's representative much ahead of the hearing of the enquiry.

9. The third grievance of the workman regarding non-supply of the list of the witnesses has not been seriously challenged by the counsel appearing for the Management. A scrutiny of the record on doubt reveals that such list was not furnished to the workman prior to the taking up the enquiry, but this omission, in my opinion, in the facts and circumstances of the case does not weigh in favour of the workman to hold the enquiry to be unfair. The sole witness on whose testimony the management relied upon was the Post Master who in his letter addressed to the Manager of the Bank had disclosed the mischief alleged to have been committed by the workman and his colleague. The copy of the said letter had been supplied to the workman well ahead of the examination of the Post Master. In the enquiry proceeding record, Ext. 4 it is clearly mentioned by the Enquiry Officer in his order dated 27-5-1980 that copies of the documents relied on by the management has been furnishing to the representative of the workman. Almost about a month thereafter the evidence of the Post Master was recorded i.e. on 23-6-80. So, it is quite evident that the workman had sufficient knowledge that the main witness to the case was no other than the Post Master. The other witnesses examined by the management being not material and their evidence could not be considered important so as to bring home the charge to the workman. Of them one was the Branch Manager himself. He was not an eye witness to the incident. He being informed of the incident by the Post Master only made a report to his higher authority. Moreover, the fact that he was to be examined as a witness by the management was very much to the knowledge of the workman as because it was he on whose report the proceeding was initiated against him. The endorsement, Ext. 13 coupled with the observation of the enquiry officer in the enquiry proceeding file, Ext. 4 conclusively proved that the report/letter of the Branch Manager was supplied to the workman earlier to the examination of the Branch Manager. In view of such facts and circumstances, I am inclined to reject the contention advanced on behalf of the workman that by not furnishing him the names of the witnesses examined during enquiry, prejudice has been caused to him.

10. The next contention of the workman of his not having been given adequate opportunity to adduce defence evidence during enquiry needs probe. The enquiry proceeding file, Ext. 5 indicated that after cross-examination of the Post Master was over on 23-6-80, the enquiry officer before conclusion of the hearing enquired from the workman as to if he got all reasonable opportunity and co-operation to defend himself to which he replied in affirmative. It be mentioned that the workman was although being assisted by the President of the Indian Bank Employees Union. So, on the day the enquiry was ordered to be concluded, his co-worker could have asked the enquiry officer to adjourn the hearing to a future date so as to enable him to adduce his defence evidence. That having not been done and in view of the admission of the workman that he had been given all reasonable opportunity to defend himself during enquiry, the contention now raised that he could not adduce his defence evidence is not tenable.

11. The next contention of the workman which is most vital one is whether the act complained of falls within the ambit of 'misconduct' and that the evidence adduced by the management in support thereof are sufficient to hold the workman guilty of the charge. The expression 'misconduct'

has not been defined in the Act. According to the LEXICON WEBSTERS dictionary, 'misconduct' means, immoral conduct, wrong or bad conduct, misbehaviour and mismanagement. The dictionary meaning of the said word are : "improper behaviour; intentional wrong doing or deliberate violation of a rule of standard of behaviour". In the industrial law the word 'misconduct' has acquired a specific connotation. It is something more positive and deliberate. So, the charge of misconduct is the charge of some positive act or of conduct which is quite incompatible with the express or implied terms of relationship of the employee to the employer. In Black's Law Dictionary (Sixth Edition) 'misconduct' has been defined as under :—

"A transgression of some established and definite rule of action, a forbidden act, a dereliction from duty, unlawful behaviour, wilful in character, improper or wrong behaviour, its synonyms are misdemeanour, misdeed, misbehaviour, delinquency, impropriety, mismanagement, offence, but not negligence or carelessness."

In so far as the management of Indian Bank is concerned, the acts and omissions on the part of an employee that fall within the expression 'gross misconduct' are enumerated in Clause-19.5 of the Bi-Partite settlement dated 19-10-86 (Ext. 12) as under :—

Clause-19.5 :

By the expression "gross misconduct" shall be meant any of the following acts and omissions on the part of an employee :

- (a) engaging in any trade or business outside the scope of his duties except with the written permission of the bank;
- (b) unauthorised disclosure of information regarding the affairs of the bank or any of its customers or any other person connected with the business of the bank which is confidential or the disclosure of which is likely to be prejudicial to the interests of the bank;
- (c) drunkenness or riotous or disorderly or indecent behaviour on the premises of the bank;
- (d) wilful damage or attempt to cause damage to the property of the bank or any of its customers;
- (e) wilful insubordination or disobedience of any lawful and reasonable order of the management or of a superior;
- (f) habitual doing of any act which amounts to "minor misconduct" as defined below.  
 "habitual" meaning a course of action taken or persisted in notwithstanding that atleast on three previous occasions censure or warnings have been administered or an adverse remark has been entered against him.
- (g) wilful showing down in performance of work;
- (h) gambling or betting on the premises of the bank;
- (i) speculation in stocks, shares, securities or any commodity whether on his account or that of any other persons;
- (j) doing any act prejudicial to the interest of the bank gross negligence or negligence involving or likely to involve the bank in serious loss.
- (k) giving or taking a bribe or illegal gratification from a customer or an employee of the bank;
- (l) abetment or instigation of any of the acts or omissions above-mentioned;
- (m) knowingly making a false statement in any document pertaining to or in connection with his employment in the bank;

(n) resorting to unfair practice of any nature whatsoever in any examination conducted by the Indian Institute of Bankers or by or on behalf of the bank and where the employee is caught in the act of resorting to such unfair practice and a report to that effect has been received by the bank from the concerned authority;

(o) Resorting to unfair practice of any nature whatsoever in any examination conducted by the Indian Institute of Bankers or by or on behalf of the bank in cases not covered by the above sub-clause (n) and where a report to that effect has been received by the bank from the concerned authority and the employee does not accept the charge.

The Management relying upon sub-clause (d) of the aforesaid clause urges that in the facts and circumstances of the case removal of T.A. Bills and other official documents from the registered cover amounts to wilful damage to the Bank's property. To repeat with, the gravamen of the charge was that the workman alongwith his associate went to the nearby post office where a closed envelope was registered to Calcutta Office and removed the bank's documents and inserted some blank forms. This act of the workman even if accepted to be true and correct can not be said to have any nexus with his official duty. The concerned postal authority being in exclusive possession of the registered envelope as a trustee was answerable to the sender as to why it betrayed the trust reposed on it and allowed an outsider to handle the same to commit the mischief as alleged. In my opinion, therefore, the act complained of was at best a criminal offence in relation to the postal department and the bank had no authority to question the workman for the same. Hence, I would hold that the mischief as aforesaid does not come within the purview of 'misconduct' and the action so taken on the basis of such allegation against the workman is not sustainable in law.

12. Accepting for a moment that the act complained of is a 'misconduct', the question now arises whether there was sufficient material before the enquiry officer to hold the workman guilty of the charge. After coming into force of Section 11-A of the Act, a Tribunal acquires jurisdiction to reappraise the evidence and to give a different finding than that of the enquiry officer if the circumstance of the case so warrants. The whole case of the management as borne out from the enquiry record hinges on the evidence of the Post Master. The two letters of the Branch Post Master addressed to the Manager, Indian Bank on two different dates are available in the record as annexures-4 (viii) and 4 (ix) to the statement of claims of the workman. These two letters though have not been proved and marked exhibits but are material documents which have a bearing in the issue. It is the duty of the Tribunal that while deciding cases under the Act it should not strictly adhere to the procedure laid down in the Civil Procedure Code and insist upon strict proof of the documents as provided in the Evidence Act. So, I will be failing in my duty if I do not refer to those two letters, the contents of which ensure to the benefit of the workman. In the first letter dated 19-9-78 the Branch Post Master intimated the Manager of the Bank that Sri Mohapatra (meaning thereby the present workman) and Sri Misra took back the registered cover No. 1679 addressed to the Asst. General Manager, Calcutta and returned back the same after fifteen minutes. The contents of the other letter which was addressed about four days thereafter run contrary to the earlier one. In this letter, the Post Master alleged that the present workman and his colleague Mr. Misra came to the Post office and wanted to correct the mistakes crept in the contents of the registered cover. So saying, they took the registered cover from him to the by-lane situate behind the post office and ten minutes thereafter returned back the same informing him that necessary corrections had been made. If at all the reason for taking back the registered cover was disclosed to the Post Master and he allowed them to take the same into the Post Office he could have unhesitatingly disclosed the same in his earlier letter. To me, therefore, such allegation at the belated stage has been embroidered to fasten the workmen with the liability as alleged.

Leaving aside what has been stated above, the Branch Post Master while being examined as a witness on behalf of the management has given out a quite different story than that of what has been stated in his earlier two letters. As deposed to by him, being insisted upon by the workman and his colleague Sri Misra, he handed over the registered cover to them whereafter they opened the same on the table of the extra department delivery agent. This allegation of his is quite contrary to that of what has been stated in his second letter addressed to the Branch Manager wherein he has stated that the registered cover was taken outside the post office to a by-lane where the alleged mischief was done. Not only that he also speaks in his evidence that he had not seen if the workman and his colleague opened the registered cover. So, the management's case that the workman and his associate Mr. Misra opened the registered cover and removed the documents has not been proved satisfactorily. All these exaggerations, omissions and contradictions which affect the truth of the management's case should have been weighed with the enquiry officer while arriving at the conclusion of guilt of the workman.

In addition to what has been stated above, another lacuna which lies in the management's case is that the Clerk Sri Anant Charan Bez, who according to the Branch Manager had taken the registered cover to the post office for registration was with-held from the witness box during enquiry. Had he been examined, it would have come to light as to whether the registered cover was in tact till it was registered or he had hands in removing the documents from it. That having not been done a serious doubt casts on the management's case that it was the workman who committed the mischief as alleged.

13. On a conspectus of the evidence and the circumstances, I am of the opinion that the charge levelled against the workman could not be satisfactorily proved by the management during enquiry. However, I would not have hesitated to give a chance to the management to lead evidence afresh but as submitted by Sri Nanda, learned counsel appearing for the management that the Branch Post Master Sri Pasayat, the hero of the whole episode is no more in the world, it will be a futile exercise if hearing is taken-up on merit and the management is given a chance to lead evidence particularly when the workman is out of employment since more than a decade.

14. In view of what has been stated above, I am inclined to hold that the order of dismissal of the workman from service with effect from 23-9-81 being not legal and justified, he should be reinstated in service forthwith. As to the back wages, there having no sufficient material on record that since dismissal the workman has not been employed elsewhere till date, in my opinion, ends of justice would be met if he is paid 50 per cent of his back wages. The management is accordingly directed to pay the said wages within three months from the date of publication of the Award.

15. The reference is answered accordingly.

Dictated and corrected by me.

R. K. DASH, Presiding Officer

नई दिल्ली, 28 अप्रैल, 1993

का. घा. 997—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेन्ट्रल माईन्स प्लानिंग एण्ड डिजाईन इंस्टीट्यूट लि. के प्रबंधन के संबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कलकत्ता के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-4-93 को प्राप्त हुआ था।

[संख्या एल-19012/15/85-डी-IV (बी)]

राजा लाल, डैस्क अधिकारी

New Delhi, the 28th April, 1993

S.O. 997.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Central Mines Planning & Design Institute Ltd. and their workmen, which was received by the Central Government on 27-4-73.

[No. L-19012/15/85 D.IV(B)]

RAJA LAL, Desk Officer

## ANNEXURE

### CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

Reference No. 28 of 1985

#### Parties :

Employers in relation to the management of Central Mines Planning & Design Institute Ltd., Calcutta.

#### AND

Their workmen.

#### Present :

Mr. Justice Manash Nath Roy, Presiding Officer.

#### Appearance :

On behalf of Management.—Md. Y. Anwar, Officer on Special Duty for Coal India Ltd. and Mr. N. C. Chakraborty, Deputy Personnel Manager for Central Mine Planning and Design Institute, Ranchi.

On behalf of Workmen.—Mr. N. R. Sengupta, General Secretary of Koyla Pratisthan Karamchail Union and Mr. S. S. Goswami, an office bearer of Coal Mines Authority Ltd. Employees' Union.

STATE : West Bengal

INDUSTRY : Coal

## AWARD

By Order No. L-19012(15)/85-D.IV(B) dated 31st October/1st November, 1985, the appropriate government referred the following dispute to this Tribunal for adjudication :

"Whether the action of the Central Mines Planning and Design Institute Ltd., Calcutta in transferring the five workmen namely S/Shri (1) R. C. Ghosh, (2) H. N. Sinha, (3) S. S. Goswami, (4) D. K. Bose, UDC and (5) Judhithir Barik, Gestetner Operator to Central Mines Planning and Design Institute, Ranchi when they were employees of Coal India Ltd. and changing service conditions in violation of para 15(1) of the Coal Mines (Conservation & Development) Act, 1974 is justified? If not, to what relief they are entitled?"

2. After usual notices, the parties to the dispute, completed their pleadings. Some evidence was also tendered.

3. At the time of hearing today, both parties stated that they have arrived at a compromise and produced the memorandum of settlement and prayed that an Award be passed in terms thereof.

4. On consideration of the submissions of the parties, so also the terms of settlement as filed, I pass an Award in terms of the said terms of settlement. Let the terms of settlement do form part of this Award as Annexure-A.

This is my Award.

MANASH NATH ROY, Presiding Officer

Dated, Calcutta,  
The 6th April, 1993.

## ANNEXURE-A

BEFORE CENTRAL GOVERNMENT INDUSTRIAL  
TRIBUNAL CALCUTTA

Reference No. 28 of 1985

MEMORANDUM OF TERMS OF SETTLEMENT UNDER  
SECTION OF THE INDUSTRIAL DISPUTE ACT, 1947  
BETWEEN THE MANAGEMENT OF COAL INDIA LTD.  
CALCUTTA/CENTRAL MAIN PLANNING & DESIGN  
INSTITUTE LIMITED RANCHI AND THEIR WORKMEN  
REPRESENTED BY GENERAL SECRETARY, KOYLA  
PRATISTHAN KARAMCHARI UNION, C/O COAL INDIA  
LTD., 10, N. S. ROAD, CALCUTTA 700 001. COAL  
MINES AUTHORITY LIMITED EMPLOYEES UNION,  
13, R. N. MUKHERJEE ROAD, CALCUTTA

## Parties Present :

## Representing employers :

- |  |  |
|--|--|
| 1. Coal India Ltd.,<br>10, Netaji Subhas Road,<br>Calcutta-700001.   | 1. Md. Y. Anwar, OSD<br>Calcutta.          |
| 2. Central Mine Planning and<br>Design Institute Limited, Dy. P. M. CMPDI, Ranchi<br>Gondwana Place, Ranchi. | 1. N. C. Chakraborty<br>General Secretary. |

## Representing Workmen :

- |   |   |
|---|---|
| Koyla Pratisthan Karamchari<br>Union C/o, Coal India Ltd.<br>10, Netaji Subhas Road,<br>Calcutta-700 001. | 1. Shri Nitish Ranjan<br>Sengupta<br>General Secretary. |
|---|---|

- |   |  |
|---|--|
| Coal Mines Authority Ltd.<br>Employees Union, 13, R. N. Rep. of CMALEU, Calcutta<br>Mukherjee Road, Cal-1 | 1. S. S. Goswami<br>Rep. of CMALEU, Calcutta |
|---|--|

## SHORT RECITAL OF THE CASE

The General Secretary, Koyla Pratisthan Karamchari Union, C/o Coal India Ltd., 10 Netaji Subhas Road, Calcutta-700 001 and CMALEU Union, Calcutta raised an Ind. dispute before the Regional Labour Commissioner (Central) Calcutta alleged illegal transfer order of five employees of Coal India Ltd., Calcutta issued by the Central Mine Planning & Design Institute Ltd., Gondwana Place, Ranchi through Director (P&C), Geological Survey of India, Calcutta, working in Assessment Resources Committee in the office of GSI Calcutta though they were employees of Coal Mines Authority Ltd., (Now Coal India Ltd.), Calcutta after transferring them from "COAL BOARD" w.e.f., 01.04.1975 vide letter No. 05.05.1974 CPC dated New Delhi, the 31st March '75 issued by G. V. G. Raman, under Secretary to the Government of India, Ministry of Energy, Department of Coal.

After failure of conciliation report from A.L.C. (Central) Calcutta Vide letter No. 8(79)/84 : E4 : dated January, 85 the Central Government considered their dispute and referred the said dispute for adjudication to the Central Government Industrial Tribunal, Abdul Hamid Street, Calcutta. After several hearings were held before C.G.I.T., Calcutta w.e.f. 13.01.86 onwards upto 06.04.93. Out of five employees of Coal India Ltd. Calcutta 3 employees retired from the service of Coal India Ltd., Calcutta. Only two employees namely S/ Shri Hari Om Narayan Sinha and Dilip Kumar Bose are connected with this dispute.

After several hearing proceedings on 06.04.93, the representatives of Coal India Ltd./CMPDI, Ranchi and KPKU and CMALEU Calcutta agreed to settle this dispute amicably on the terms & Conditions for the above said two workmen set out as under :

## TERMS OF SETTLEMENT

1. The above Unions agreed to the abovesaid dispute. Shri Dilip Kumar Bose should be transferred to CIL Hqrs., Calcutta from CMPDI, Ranchi, and Shri H. N. Sinha, Draftsman/Surveyor now posted at Geological Survey of India, Calcutta, for the job of Assessment resources committee for Coal will not be transferred from Calcutta.
2. The abovesaid workmen of the said dispute will never claim any arrears for financial benefit and allied benefits in future.
3. The Unions, Koyla Pratisthan Karamchari Union and CMALEU Calcutta-1 agreed to withdraw this dispute under reference No. 28 1985 before Central Govt Industrial Tribunal, Calcutta. The Parties concerned shall furnish implementation report in respect of the above mentioned terms of settlement within a period of two months failing which it will be taken into consideration that the terms of the above settlement in full.

Signature of the parties :

Sd./- Illegible

1. General Secretary or his representative, Koyla Pratisthan Karamchari Union.

Sd./- Illegible

2. General Secretary or his representative, Coal Mines Authority Limited, Employees Union Calcutta.

Management representative  
from CMPDI

1. CMPDI Representative.  
Sd./- Illegible

2. CIL Representative.  
Sd./- Illegible

## WITNESS

1. Shri D. K. Bose (OS CMPDI Ranchi).
2. Shri H. N. Sinha (D/Surveyor GSI Calcutta).
3. Shri S. S. Goswami (do- Retired).

नई दिल्ली, 28 अप्रैल, 1993

का. आ. 998--औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार चिन्नाकुरी कोलयरी आफ ई सी लि. के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्विष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कलकत्ता के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-4-93 को प्राप्त हुआ था।

[संख्या एल-19012/28/84 डी-IV (बी)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 28th April, 1993

S.O. 998.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Chinakuri Colliery of E.C. Ltd. and their workmen, which was received by the Central Government on 27-4-93.

[No. L-19012/28/84.D.IV(B)]

RAJA LAL, Desk Officer

## ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL  
AT CALCUTTA

Reference No. 52 of 1984

## PARTIES :

Employers in relation to the management of Chinakuri Colliery of E. C. L.

## AND

Their Workmen

## PRESENT :

Justice Manash Nath Roy.—Presiding Officer.

## APPEARANCES :

On behalf of management.—Mr. Ranjit Talukdar with Mr. D. Mukhapadhyaya, Advocates.

On behalf of Workmen.—Mr. Amalesh Mitra, Counsel with Mr. S. K. Bose, Advocate.

STATE : West Bengal

INDUSTRY : Coal

## AWARD

Khulbal Nonia (hereinafter referred to as the said Employee), since deceased, was appointed in 1959, by the Management of Chinakuri Colliery (hereinafter referred to as the said Colliery), which was owned by the erstwhile Management, M/s. Bengal Coal Co. Ltd. It was the case of the said employee that he was so appointed by the Management, on being satisfied with the documentary evidence regarding his date of birth, which according to him was 1926. It is an admitted fact that M/s. Bengal Coal Co. Ltd., used to issue sealed Identity Cards, mentioning therein, all details of the employee concerned viz. his name, parentage, home address, date/year of birth amongst others and he claimed that on such, he received Exhibit W-1. This exhibit was marked, subject to objection, as the same, as produced, appeared not to be a sealed one and the same was in a damaged and open condition.

2. The said employee, has said that from a reference to the said Exhibit W-1, it will appear that his date of birth was recorded as 1926, but, such recording has been denied and disputed by the said Colliery and according to them, on the basis of the recording, as would be indicated hereinafter, the date of birth of the said employee was 1923. It was the common case that the employees, so appointed, were and are to retire on completion of 60 years of service and as such, the said employee claimed his date of retirement should have been 1986, instead of 1983, when he was purported to have been retired.

3. There is also no doubt that the employees under the erstwhile employer of the Collieries, before Nationalisation, had Form 'B' Register and the said employee has claimed that on a reference to that register, it would also appear that the date of his birth was recorded therein as 1926. The original 'B' Form Register or even a copy of the same, has not been produced, but the said Colliery claimed on the basis of Exhibit M-1 and M-2 that in the service records of the said employee, his year of birth was mentioned as 1923 and on that basis, the records were regularised and accordingly, on completion of 60 years of service, the said employee was asked to retire in 1983.

4. It has been alleged by the said employee that when Coal Mines were Nationalised in 1973, the said Colliery, which is his present employer, prepared a new Form 'B' Register and the Column, meant for the date of birth, was left blank and he was asked to put his I.T.I. in such incomplete register, which he did, in good faith. He has claimed himself to be illiterate. But, he has alleged that subsequently, without tallying his date of birth with Form 'B' Register and other records of his erstwhile employer, the said Colliery, got his date of birth recorded as 1923 and as such, when he was served with a notice of superannuation in January 1984, informing thereby, that his year of birth was 1923 and as such, he will have to retire with effect from July 1, 1983 i.e. on reaching the superannuation age of 60 years, he, for the first time came to know about such wrong

recording of the date of birth and asked the said Colliery, to have the necessary rectifications done, by incorporating his year of birth as 1926. The above fact of alleged wrong recordings, have of course been denied by the said Colliery and it has been particularly denied that they have prepared a new Form 'B' Register, after keeping the Column, meant for the date of birth, blank and asked the said employee to put his I.T.I. in such incomplete register. It has been claimed that such recording of the date of birth in 1923, was done duly and after tallying the necessary entries with Form 'B' Register and other records of the erstwhile employer and more particularly, there was no mala fide intention of motive to have the said employee, prematurely retired. It was the specific case of the said Colliery that they have prepared the present 'B' Form, after consulting all the records of the erstwhile employer and the said employee subscribed his I.T.I. in a completed Form 'B' Register, and raised no objection either at the time of preparation of the record or even thereafter.

5. It is true that on the basis of such purported wrong recording, a dispute was raised and ultimately, the Appropriate authorities, on the failure of the conciliation, by Order No. L-19012(28)/84-D.IV(B) dated 15th November, 1984, referred the following dispute :

"Whether the action of the Agent, Chinakuri Colliery of M/s. Eastern Coalfields Ltd., Post Office Sunderchak, Distt. Burdwan, in superannuating Sri Khulbal Nonia, Ug. Trammer w.c.f. 1-7-1983 is justified? If not, to what relief the workman is entitled?"

for adjudication before this Tribunal. There is also no dispute, about the making of the Reference, but the bonafide and validity of the same has been denied, to some extent. It has also been claimed by the said Colliery that the statements, as made in the facts as involved in this case, do not support the case of making a Reference or there was any basis of the claim of the said employee, since the said Colliery has acted in the matter of recording the year of birth of the said employee as 1923, duly and after consultation of the available records from the erstwhile management of the said employee and more particularly, on the basis of his appointment cards with them, which are marked as Exhibits M-1 and M-2. The relevant particulars of the said employee, according to the said Colliery, will be available from the entries in those 2 Exhibits and they would specifically show, the year of birth of the said employee, as 1923. It should be noted in Exhibit M-1 C.M.P.F. number of the said employee has been kept blank, but such number has been mentioned in Exhibit M-1(a), as B/422366.

6. The said employee, in this case, has prayed for setting aside his date of superannuation on July 1, 1983, being Exhibit W-2 and to reinstate him forthwith, with all corresponding benefits. On such prayer, it was contended by the said Colliery that at present, none of the prayers made, could be acceded to, as admittedly and even on his own saying, if that is accepted, the employee cannot expect to work after 1986, on consideration of completion of 60 years of age and it was further submitted by the said Colliery that since, the said employee has admittedly expired on August 2, 1989 and that too during the pendency of this proceeding, he cannot also be re-instated. It has been pointed out, the dispute in this case, was raised on January 23, 1983 and as such also, such dispute was raised at a belated stage and practically, near to the date of superannuation of the said employee, which fact, should not be allowed to be agitated. There is ofcourse, no basis of such exceptions as taken by the said Colliery, on the question of delayed objection being raised, as admittedly, such exception was taken within a very short time of the communication of the order of superannuation, by the said Colliery, on him.

7. It has been submitted by the said colliery that no reliance can be placed on Exhibit W-1, in fact, it was pointed out that the said Exhibit W-1, was admitted by the said employee, when he deposed as WW-1, to be in open condition and it was further pointed out that the said employee could not even remember the number given to him by ECL i.e. the Identity card, which was expected to be a sealed one, but the same was really not so. They have claimed the notice of retirement Exhibit W-2, to be duly issued and was also prepared on the basis of Exhibits M-1 and M-1(a) showing the year of birth of the said employee as 1923 and which

was supplied to them. It was further pointed out that even after the receipt of Exhibit W-2, the said employee did not raise the dispute in time. That Exhibit W-2, was dated January 10, 1983 and the dispute was raised thereafter, on January 20, 1983 and as such, I feel, there has been really no delay or any laches on the part of the said employee, to have the dispute raised and immediately on receipt of the information from W-2, he has raised the dispute.

8. It was stated by the said Colliery that the 'B' Form Register of the erstwhile employer of the said employee, wherefrom their 'B' Form Register or other records were prepared. But unfortunately, neither the 'B' Form Register of the erstwhile employer nor the 'B' Form Register of the said Colliery, has been produced. The said Colliery, on the basis of the evidence of MWs. 1 and 2, wanted to supplement the submissions as above. In fact, MW-2, produced Exhibits M-1 and M-1(a), which were initially marked subject to objection, but thereafter, were proved.

9. Mr. Mitra pointed out that in Ext. M-1 the CMPF number of the said employee has not been mentioned, which was a must, but such number appears in Ext. M-1(a) and on that basis, he claimed, the bonafide and validity of making and preparation of the said Exhibits. It was claimed by him that since CMPF number is a vital record, so Exhibit M-1 was an incomplete document and further, the said Colliery has not produced the P.F. Form viz. 'A' Form Register, although such production was asked for and as such, he claimed, that necessary and adverse presumption should be drawn against the said Colliery. He further pointed out that the dates of Exts. M-1 and M-1(a) differed and that also, will support his statement, that they were not prepared bonafide and such difference of date, according to him, M-1(a), who produced them, could not explain.

10. Mr. Mitra, of course in his usual fairness, has stated that since his client died on August 2, 1989, he cannot ask for his re-instatement, but he submitted that if this Tribunal is of the view that the recording of the year of birth, was not duly made or proved, the heirs of the said employee, would be entitled to the monetary benefits, as would be available to them. It should be noted further that the particulars of the heirs have neither been mentioned nor made available in this proceeding.

11. After hearing the submissions, I feel that the recording of the year of birth as 1923, has not been made duly and legally or has been proved to be so and as such, the said employee if alive, could have claimed, for his reinstatement, provided of course, he could claim such benefit on completion of 60 years, counted from his year of birth as recorded i.e. 1926. Thus, not only on such ground, but also on the ground that the employee concerned has admittedly expired, he cannot claim to be reinstated. But since I find, on the evidence as produced, the recording was not done duly, so I feel monetary benefits as available to his heirs, on due satisfaction and proof, upto 1986, he paid. The non-production of the Form B Register, in this case, by the said Colliery, was fatal.

12. As such, I direct, such monetary benefits, on calculation and necessary proof of the heirs, be made available to them, by the said Colliery. In any event, the money available to the said employee, cannot be paid to the Union and this was also indicated by Mr. Mitra.

13. In view of the above, the Reference should be answered in the affirmative and in the manner as indicated, in accordance with law. The money in any event cannot, as indicated, be paid to any one, other than the heirs of the said employee.

14. This is my Award.

Dated, Calcutta.

The 22nd March, 1993.

MANASH NATH ROY, Presiding Officer

मई दिवसी, 28 अप्रैल, 1993

का. शा. 999.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्वय में, केन्द्रीय सरकार उद्घु. सी. एन. के प्रबन्धन के संबंध निधियों और उनके कर्मचारों के बीच, अनुबंध में निश्चित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बम्बई के पंचवट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-4-93 को प्राप्त हुआ था।

[संख्या एन-22012/269/91-आई आर (सी-II)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 28th April, 1993

S.O. 999.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Bombay as shown in the Annexure, in the industrial dispute between the employers in relation to the management of W. C. Ltd. and their workmen, which was received by the Central Government on 27th April, 1993

[No. L-22012/269/91-IR(C.II)]

RAJA LAL, Desk Officer

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, BOMBAY

PRESENT :

Shri P. D. Apshankar, Presiding Officer.

Reference No. CGIT-2/10 of 1992

PARTIES :

Employers in relation to the management of Nakoda Incline Sub-Area of Westedn Coal Fields Ltd. (WCL)

AND

Their workman.

APPEARANCES :

For the management—Shri B. N. Prasad, Advocate.

For the workman—Shri D. N. Choubey, Representative.

INDUSTRY : Coal & Mines.

STATE : Maharashtra.

Bombay, the 12th March, 1993

#### AWARD

The Central Government by their order No. L-22012/269/91-IR(C.II) dated 28th January, 1992 have referred the following industrial dispute to this Tribunal for adjudication under Section 10(1)(i) of the Industrial Disputes Act, 1947.

"Whether Shri Wahin Husain, Loader Nakoda Incline is entitled to get the wages from 13th May, 1990 to 23rd January, 1991 for not referring his injury case to the Appeal at Medical Board by the General Manager, W.C. Ltd., Wani Area, Chandrapur and also the compensation for his injury while working as a loader in the Mine on 28th August, 1985? If not, to what relief the workman concerned is entitled?"

2. The case of the said workman, in short, is thus :

He is working as Loader at Nakoda Incline of WCL in Chandrapur district. He was injured on 28th August, 1985 and was also sent to the Unit Incharge of Plastic Surgery, Government Medical College,



Nagpur, by the Dy. Medical Superintendent Crandaur Area Hospital Lalpeth on 2nd February, 1988 for Medical Examination/treatment. The Area Hospital of New Majari has given a certificate on 23th April, 1990 that the said workman is fit for duty from 2nd February, 1990 though he was issued a certificate of unfitness from Nagpur Hospital. The said workman had sustained the injury in an accident while working in the mine. The certificate was issued by the Civil Surgeon, Central Hospital, Nagpur on 10th July, 1990 that the said workman was suffering from partial tendon injury and was declared as physically handicapped and entitled to about 30 per cent compensation. A Certificate was also issued by the Resident doctor, Mevo Hospital on 20th August, 1990 that the said workman was suffering from Tendoalitis Left foot and was unable to work with shoe. In spite of the said certificate, the management sent him to work underground. Therefore the workman prayed that this Tribunal should hold that he is entitled to get the wages of the period of 13th May, 1990 to 23rd January, 1991, and also the compensation for injury on 28th August, 1985.

3. The Sub-Area Manager of Nakoda Sub Area, WCL, by his Written Statement (Ex. 3) opposed the said prayer of the workman and in substance, contended thus :

The present reference is not tenable in law. No industrial dispute existed between the said workman and the management. The case of the said workman is covered by the Workman's Compensation Act, 1923, and not by the provisions of the Industrial Disputes Act, 1947. As such this Tribunal has no jurisdiction to entertain and decide the present reference. The management, therefore, lastly prayed for the rejection of the prayer of the workman.

4. The necessary Issues were framed on the basis of the pleadings of both the parties.

5. Thereafter, while the reference was at the stage of the evidence of the parties, the said workman filed an application dated 16th February, 1993 (Ex. 5) stating that :

"It is therefore most respectfully prayed that the applicant workman in the instant case may kindly be permitted to withdraw the terms of reference pending before this Hon'ble Tribunal with the liberty that the applicant workman may approach the appropriate authority under the Workmen's Compensation Act about payment of wages during injury period and compensation for the injury sustained by the applicant workman on 28th August, 1985 while on duty. The Central Government and other authorities may kindly be informed suitably."

Therefore, as the workman does not want to pursue with the reference before this Central Government Industrial Tribunal, it stands disposed off. He may approach the authority concerned in the matter. The parties to bear their own costs of this reference.

P. D. APSHANKAR, Presiding Officer

नई दिल्ली, 28 अप्रैल, 1993

का.आ. 1000.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्वय में, केन्द्रीय सरकार उनकुनी कोल कम्प्लेक्स आफ मैसर्स कोल इंडिया लि. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अन्वय में निम्नलिखित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कलकत्ता के पंचपट को प्रहणित करती है, जो केन्द्रीय सरकार को 27-4-93 को प्राप्त हुआ था।

[संख्या एन-19012/101/86डी-IV(बी)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 28th April, 1993

S.O. 1000.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Dankuni Coal Complex of M/s. CI Ltd. and their workmen, which was received by the Central Government on 27-4-1993.

[No. L-19012/101/86-D.IV (B)]

RAJA LAL, Desk Officer

## ANNEXURE

### CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

Reference No. 39 of 1988

#### PARTIES :

Employers in relation to the management of Dankuni Coal Complex of M/s. Coal India Limited,

AND

Their Workmen.

#### PRESENT :

Mr. Justice Manash Nath Roy, Presiding Officer.

#### APPEARANCE :

On behalf of Management—Mr. Kalyanmoy Bandho padhyay, Advocate with Mr. P. K. Turaldar, Advocate.

On behalf of Workmen—Mr. A. K. Gupta, representative of the Union.

STATE : West Bengal

INDUSTRY : Coal

#### AWARD

By an Order of Reference, bearing No. L-19012/101/86-D.IV (B) dated April 23, 1987, made under Section 10(1)(d) and sub-section (2-A) of the Industrial Disputes Act, 1947, (hereinafter referred to as the said Act), the dispute as indicated hereunder :

"Whether the action of the Management of Dankuni Coal Complex, P.O. Dankuni, Dist. Hooghly, West Bengal, CIL in terminating services of 21 employees (Annexure 'A') w.e.f. 31-12-1981 particularly when they were appointed on 1-1-1982 without break in service and thus not treating them in continuous service from initial date of appointment as shown in Annexure 'A' for the purpose for their seniority, promotion date of retirement gratuity, PF, Bonus etc. is justified ? If not, to what relief the workmen are entitled ?"

was referred for adjudication before this Tribunal and after usual notices, parties to the dispute completed their pleadings and thereafter, tendered respective evidence, both oral and documentary.

2. The employers (hereinafter referred to as the said Complex), filed their Written Statement on November 1988, and the Union (hereinafter referred to as the said Union) which represented the cause of the employees by their Written Statement indicated that the said Complex was managed, administered and controlled for all purpose, by the Coal India Ltd., and 21 employees, whose cases are in issue in this proceeding, joined the services of the said Coal India Ltd. and posted at the said Complex, in various categories and on diverse dates. It has further been indicated that those employees were paid consolidated salaries, in violation of the terms of National Coal Wage Agreement No. II (hereinafter referred to as the said Agreement) which was effective from January 1, 1979 and as a result thereof, they were deprived of their legitimate wages, in terms of that Agreement and were paid, only a consolidated amount, which was unjust and unfair.



3. It was alleged that the above was the differential treatment made to the employees concerned in this dispute in relation to the other employees and such action of the said Complex, amounted to unfair labour practice and it has been claimed that the employees concerned, were and are entitled to payments, in terms of the said Agreement, which again, is being followed by the other Employers of the same type. It was further been alleged that the said Complex, terminated the services of the 21 employees as involved in this Reference, on December 31, 1981 and again reemployed them with effect from January 1, 1982, without changing their terms of service or conditions of employment and without any actual break in continuity of service. In fact, it has been alleged, the services of the 21 employees, were alleged to have been terminated for one day only and they were taken back in services on the next day i.e. on January 1, 1982. It has further been indicated that the said Complex, will know and knows that the continuity of service of the employees concerned, remained unbroken from the dates of their initial appointments, as indicated in Annexure A to the Order of Reference and with a mala fide intention after services were recorded with effect from January 1, 1983, without giving any consideration to the unbroken and continued services rendered by them, from the date of their joining the said Complex. It has been alleged that the said Complex, was guilty of mala fide acts, in not treating the employees concerned, in continuous services from the dates of their initial appointments, as indicated in the annexure to the Reference.

4. It has further been alleged that because of such inaction, which agreed to unfair labour practice and illegal acts, by the said Complex, the employees concerned have lost benefits amongst others, relating to their Leave, Bonus, Remuneration, Seniority, Promotion, date of Retirement, Gratuity and Provident Fund, for a considerable length of time. It has been stated that being aggrieved by such unfair labour practice and wrongful action of the said Complex, representations were made to them by the employees concerned, asking them not to resort to such illegal acts and unfair labour practice and also to compensate them and so also, the loss they have suffered, but, since nothing was done, the dispute over such inaction, was duly espoused by the said Union, after failure of the negotiations with the said Complex and after a futile conciliation, a final report was made, on the basis whereof, the Reference as indicated above, was made.

5. The employees, through the said Union have prayed for continuation of their length of service from the dates of their initial joinings at the said Complex, to consider and implement their promotions, as per cadre scheme, on completion of 3 years service, from the initial appointments and to make good the loss, which they have suffered, in terms of money, for such inaction of the said Complex, on the heads as mentioned earlier.

6. The said Complex, by Written Statement as filed, claimed that his Tribunal has no jurisdiction to adjudicate or to pass any Award in this proceeding as (i) the appropriate Government, while making the Reference, has not applied their mind and as such, the Reference as made, was bad in law and has conferred no jurisdiction to this Tribunal, to adjudicate the issue, (ii) in making the said Reference, the appropriate Government was required to form their opinion but such opinion was not duly formed and opinion if any, was formed in a perfunctory report under section 12(4) of the said Act and too, for the fact of non determination of the legal objection as raised by the said Complex, (iii) Order of Reference as made, was also claimed to be bad in law, in as much as, there was no dispute existing or apprehended and in making the Reference for adjudication to this Tribunal, neither the appropriate Government nor this Tribunal, is vested with any jurisdiction in the facts and circumstances of this case apart from the fact, this Tribunal has no jurisdiction to make, hear and adjudicate the dispute and as such, such jurisdiction cannot be assumed; for the purpose of making an Award and (iv) the said Union, which in fact has espoused the cause of the employees concerned, was no longer in existence and after filing their Written Statement on the date as

mentioned, has made no appearance before this Tribunal and the Union now appearing before this Tribunal, in the guise of the said Union, thus has no locus standi to represent, in the eye of law. It has further been alleged that besides, neither the workmen of the said Complex nor any substantial number of them, have espoused the cause of the employees concerned and the case as sought to be raised, was not duly raised, on the basis of resolutions passed by the Executive Committee of the said Union or by the General Body of the same. The exceptions as above, in my view, have no basis. The Reference, I think, was duly and properly made, to be decided by this Tribunal.

6. After placing the above preliminary points, the said Complex has stated that the same is a new establishment in Coal India Ltd. and at the initial stage, in the year 1980-81, when the primary works at the Project stage were taken up, for acquiring lands for constructions amongst others, of the factory, township and also for filling up and levelling the earth for such purposes, a number of staff were drawn from subsidiary Coal Companies of Coal India Ltd., on transfer and other staff were also engaged, purely on that basis while the construction of the project was given on contract to Messrs H.E.C., a Government undertaking and the other staff, who were engaged at the project stage, had no specific job and they were utilised for various purposes and those persons were also engaged with various designations, on certain specific terms and conditions, on a fixed consolidated pay, as there was no specific pay scale or any Rules were framed during such stage. It has been stated that the officers looking after the project, according to exigencies of circumstances, sent requisitions and notified requirements to the Employment Officer from time to time and on receipt of the list, persons were offered appointment as per accepted terms and conditions of service, indicated therein. It has further been stated that with the progress of the work in project stage, it was thought that the project may be nearing completion and start production by 1988 and as such, decision was taken to regularise the Staffing Pattern of the employees, who will be engaged in Office work.

7. It has of course been stated that while making the temporary recruitments at the Project State, the normal norms as followed in Industrial Organisations, in the matter of technical qualifications, experience etc., were not given priority and it was only considered, as to how the Project could be put into operation and made viable as early as possible and as a result thereof, some cases of staff were temporarily engaged who were not possessing the required qualifications, as necessary for the appropriate cadre and grade, were considered. It was stated that the said Complex, while considering the regular staffing pattern, took a sympathetic attitude to the temporary staff employed at the project at a consolidated rate and decided to take them in. The staffing pattern was thought of, even though, they were not in possession of the requisite qualifications for regular employments. It has further been stated that although the said Complex do not come under the Wage Board Scale of the said Agreement, the Complex decided to extend the terms and conditions of the Agreement amongst others, with the pay scale of various categories of staff, to the proposed staff of the said Complex and accordingly, the staff, who were taken on consolidated pay at the initial stage of the project stage from time to time, were offered the pay scale on and from January 1, 1982 i.e. the date, from which such scales of pay were sanctioned. It was further indicated that the employees concerned, were taken on purely temporary basis, on a consolidated pay and cannot, thus, be taken on a regular pay scale, which is sanctioned from certain fixed dates. It has been indicated that in this case, the regular pay scales of the said Agreement were sanctioned from January 1, 1982 and accordingly, the employees involved, were taken from that date by terminating their earlier engagements on consolidated pay, on December 31, 1981, as they could not have the continuity of services of two different and distinct class of employment. It has further been pointed out that the employees concerned, who were offered the employment of the two different and distinct class of employment, accepted the offers in writing and as such would bound by such contract of employment and the said Complex has and had the right and authority, to dispense with the services of these employees, at the time of regular employment, for want of requisite qualifications as required by the said Agreement.

8. The said Complex has denied the fact that the employees concerned, were paid consolidated pay, in violation of the norms of the said Agreement or that they were deprived of their legitimate wages and has said that there was no differential treatment or any unfair labour practice in this case. It has been stated that the employees concerned, were initially taken from the list of persons sent by the Employment Officer of the West Bengal Government on requisition, for filling the posts from time to time, for operation of the said Complex at the Project stage as indicated earlier and that too, on consolidated pay and such terms were accepted by each of the employees concerned. The said Complex has further stated that the said Agreement was not applicable in this case, as the concerned Complex, would not come within the meaning of operation and when, the employees concerned were taken as temporary workmen at the Project Stage and there was no proper sanction or Service Rules framed and they were taken on adhoc basis at a consolidated pay, which they have accepted without any objection and as such they cannot maintain their claims. It has further been stated that when the concerned project advanced towards completion, the said Complex took a sympathetic attitude towards the employees concerned, who, as stated, were appointed on ad-hoc basis and purely against certain posts and on fixed pay, they decided to offer employment in the regular staffing pattern and also decided to extend the provisions of the terms as embodied in National Coal Wage Agreement from January 1, 1982 and as such, such offers of fresh employment, as in this case, were given with effect from that date and the posts, as sanctioned on consolidated pay, could not be equated with the scale of the said Agreement. It has further been made that employees concerned, though did not fulfil the requisite prescribed qualifications and experience, required to fill up the posts as prescribed in that agreement, and were taken, purely on compassionate grounds as stated earlier, for avoiding the retrenchment or termination, for any person possessing the prescribed and necessary qualifications.

9. The said Complex has also stated that the employees concerned were initially taken on ad-hoc basis in the manner as indicated, against certain posts, created on consolidated pay at the Project Stage, when there was no regular posts except those taken on deputation from subsidiary Companies of the Coal India Limited and as such, could not automatically taken them in the prescribed date from January 1, 1982, in the scale of the said Agreement, as they sought by extending that Agreement, to the employees of the said Complex on special consideration. Save as aforesaid, the other statements as incorporated earlier, have been repeated by the said Complex and they have denied the failure of the conciliation proceeding in this case to be due to their adamant of any attitude as alleged.

10. A rejoinder to the above statement was filed by the said Union, on April 6, 1989. There, practically no relevant fact of very material bearing, on the matters in issue, have been disclosed. But the said Union, apart from repeating and reiterating their stand as indicated earlier, denied the statements of allegations as made in the Written Statement of the said Complex.

11. WW-1 Sri Utpal Mitra, who was working in the said Complex as Senior Overseer, Civil, has deposed on behalf of the employees. Apart from producing the appointment letter Ext. W-1, he has said to be drawing like all the 21 employees, as mentioned in the serial to the order of Reference and he has stated, that his name was appearing against serial No 4. It was his evidence that his name was sent through Employment Exchange and thereafter, on interview, he was given a temporary appointment and on such appointment, he was duly discharging his duties, but suddenly, by Ext. W-2, which was dated December 30, 1981, he was informed that with effect from December 31, 1981, his services will no longer be required. It was his evidence, on January 1, 1982, when he went to the said Complex he was given a fresh appointment letter dated January 1, 1982, that record has been marked as Exhibit W-3. It was his specific case that was in fact, no cessation of his work and such happenings were also noted to other employees. It was his case that for such action on behalf of the said Complex, he has not only lost his particular duty, but has also lost his increment and L.T.C. and such action according to him, was illegal and unauthorised.

12. On being asked, he has given the particulars of the post being held by the other employees, as concerned in the Reference, but he was candid enough to say that he could not mention the respective dates of appointment of the employees concerned but he said that they were appointed from March 1, 1981. It was his case that he got his appointment letter on April 7, 1981 and he joined his duties on the next day and also read the contents of the terms as set out in the appointment letter. He accepted such employment on signing Ext. M-1. Apart from himself, he was not sure, if the other employees were working, according to their designations and he has given some details of the works required to be performed by him and he has also said that he prepared and held the Bills for such works. He has further stated that before joining the said complex, he worked temporarily elsewhere and when he was working as Overseer, his immediate Instructing Officer was an Executive Engineer and the Assistant Engineer and he used to receive instructions from them. To establish that, he has produced a document dated April 23, 1981, Ext. W-4, signed by the Executive Engineer Civil, showing the works to be performed by him. He was not aware, if he has applied to the said Complex, for new appointment after December 31, 1981 and was not also aware, if he had made any application. He was shown a bundle of documents in Ext. M-2 and on being asked, if he could recognise the signature therein, he said that he was not aware of the signatures, since the signatories did not sign in his presence. Admittedly, this witness along with other employees, were in service of the said Complex and it was his evidence that he was presented performing the new works, as have been assigned to him. It was his evidence that he was not informed that he will have to work on consolidated pay and said that such fact, was also not incorporated in his appointment letter. It was his further evidence that before his appointment on January 1, 1982, he was not interviewed and same was the position, in respect of the other employees, whose services, like him, were also terminated. He has specifically admitted that he accepted the fresh appointment as offered and he testified his signature in Exts. M-3 and M-4. He has also stated that he has not lodged any complaint, for his employment on consolidated pay.

13. MW-1, deposed on behalf of the said Complex and has stated to have joined in 1980, as Coal Technologist and that in July 1980, the Central Government, gave approval for the Scheme of the said Complex, whereupon in 1981, the construction of the worksite of that Complex was started. He has said to have sent requisitions for employment to Employment Exchange at Serampore, by Ext. M-5 and on that basis, the persons mentioned in the annexure to the Order of Reference were not sponsored, but so far he could recollect names of 12 persons were sponsored by the said Employment Exchange and he named those sponsored persons as Serial Nos. 1, 2, 4, 5, 6, 11; 12; 15; 16; 17; 18 and 21 and regular pay scales were sanctioned in respect of employees concerned and on that date, they were made permanent viz. they were given NCWA Scale. It was his further evidence that during the pendency of the proceeding here, at least, one promotion to each of the employees concerned was given and he produced and referred to Ext. M-7, the Model Standing Order, which was applicable to the said Complex.

14. It was his evidence that apart from the recommendations as above, recommendation in respect of the 9 other employees were not received and they were thus, not sent to the interview Board, but the notes of the officer were there and for such posts of 9 employees, the said Complex asked the Employment Exchange, for necessary sponsoring. He has admitted to be not present in some of the Interview Boards and has said that those 9 persons were not appointed, only on the basis of recommendations and according to his knowledge, the interview was held for regularisation of pay, but that was not done at the time, of initial appointment, for all the candidates. He did agree to the suggestions that all the candidates were initially appointed, on the basis of interviews and he could not apprise the Tribunal, about the recommendations made for those 9 employees and by whom. He was specific

that on a reference to the minutes dated March 6, 1981 in Bat. M-6, it will appear that both sponsored and non-sponsored candidates were interviewed. He could not inform on being asked, as to in which category of the Standing Order, Ext. M-7, the employees concerned came. He has stated specifically, since they were appointed on purely temporary and adhoc basis and the terms of employment and conditions of service were not in terms of the said Agreement, when they were given employment, there were no specific instructions from the management, as to whether they will be given pay structure of the said Agreement or not. He was also not aware, if Coal India employees will be given the benefits of the said Agreement. He has agreed that the employees involved in this case, were terminated on December 31, 1981 and they were re-employed on January 1, 1982 and he was not aware, if the employees concerned, had any break in their service or if for such break, they have suffered. He could not say, if there has been any provision, either in the said Agreement or in the Standing order, for consolidated pay.

15. Mr. Bandopadhyay, appearing for the said Complex, after placing the statements in the pleadings, indicated that the offers in his case, were given to the employees concerned in writing and every one of them accepted such offer, without any objection or taking any exception to the terms. He has further indicated that requests were made to the Employment Exchange, for sponsoring the names of employees, to be appointed temporarily and in the manner as indicated and since, on such recommendations, they have been appointed, it cannot be claimed that the appointments were not temporary. It was claimed by him that since the terms of the Reference itself, do not show or mention anything regarding the regularisation of the employment of the employees, so, if any order is made to that effect, on the basis of the prayers as made, this Tribunal would be over shooting its jurisdiction. In any event, it was submitted by Mr. Bandopadhyay that since the employees have joined their service on January 1, 1982 and without any exception, either at that time or at the time, when they were given promotion, between September 1980 to March 1981, when regular vacancies arose, as a permanent measure, so, this Tribunal, should not make any interference. It was further submitted by him, on a reference to the Third Schedule of the said Act that regularisation or whether the employees were and are in continuous service, cannot be the matters of Industrial Adjudication, as they are not covered by the said Schedule.

16. Mr. Gupta, appearing for the said Union, on the basis of the pleadings, submitted that the 21 employees concerned, who were employed from March 1981 to May 1981, were terminated on December 31, 1981 and thereafter, on the next day i.e. January 1, 1982, they were re-employed and as such there was really, no break in service or there could be any such break. But, even then, the period of service after December 31, 1981, has not been counted by the said Complex, for necessary benefits, to be given to the employees concerned. In fact, he has alleged that the employees have been retrenched. It was his submission that on the basis of the said Agreement, the employees were entitled to Pay Scale and the same, not having been offered to them, there has been admitted violation of the terms of service and conditions of employment of the employees concerned. He further indicated that there was no basis for the claim of the said Complex that the employees were appointed on temporary basis on payment of consolidated pay. He further pointed out that the jobs for which the employees were appointed and which they were reforming were of initial nature and such being the position, there was no basis or justification for the said Complex, to sought to have a break in such continuity of service of the employees and in the manner as indicated or for the reasons as advanced.

17. According to Mr. Gupta, the Standing Order Ext. M-7 would show the designations relevant for the temporary employments and the employees concerned, continued with such designations on re-appointment, even after their re-appointment. He tried to have his case supported and supplemented, on a reference to the Failure Report but such Report not having

been duly proved and brought into evidence, it is very difficult for this Tribunal, to consider the same, but there was no doubt or any dispute, that there was a failure, for any reason whatsoever and as such, the Appropriate Government, in their wisdom, had made the Reference. He further claimed that the submissions as made by or on behalf of the said Complex, regarding locus-standi of the said Union, has no basis or any reasonableness. It was pointed out by him that the Reference in this case, was made at the instance of Rashtriya Colliery Mazdoor Sangh (INTUC). The Written statement was also filed through them, and so also the rejoinder and there is no appropriate evidence in this proceeding to hold, in agreement with the submissions of the said Complex, that the said sponsoring Union, is not the same as the said Union, which is now presenting the case. In fact, I find that there was no substance in the submission on this behalf as put forward by the said Complex.

18. Mr. Gupta further indicated that paragraph 1.1 of the said Agreement, makes it clear that the same shall cover all categories of employees, who are covered by NCWA-I and on a reference to the said NCWA-I, he wanted to establish that the employees concerned here, were thus covered by the said Agreement and more particularly when, paragraph 8(iii) of the said NCWA-I states that the term "Workmen" as used in the Interim Report of the Board, has the same meaning as assigned to it under Section 2(s) of the said Act. Such being the position, it was specifically claimed and contended by Sri Gupta, that the said Complex cannot contend or they should not be allowed to contend, that the employees here, would not be entitled to the benefit, as claimed. There is much force in the above submissions.

19. Mr. Bandopadhyay, appearing for the said Complex, referred to the records, showing the particulars of the category of employees, which were notified for Agreement, recruitment and sponsoring to those posts by the said Complex and he further, in supplement of his submissions as recorded earlier, referred to the letters offers of appointment and the way and manner in which, those offers were accepted by the employees, and has indicated that those offers will show that the employees concerned, were required to be appointed amongst others on consolidated pay and were asked to signify their willingness to accept such offers and the employees in their turn, duly accepted such offers, without any reservations. It was the submission of Mr. Bandopadhyay that in a service jurisprudence of this nature, the employees cannot be allowed to blow hot and cold or approbate and reprobate. In fact, it was his submission that having accepted the offers in the manner as indicated, the employees concerned cannot opt out of the terms and that being the position, this dispute, cannot be adjudicated or is required to be adjudicated.

20. On a consideration of the Agreement as indicated earlier and the submissions as made by the parties, it cannot be doubted or disputed that the employees concerned, would be governed by those Agreements and more particularly, in view of the definition of the workmen which is equivalent to section 2(s) of the said Act and as such, they can in my view, ask for the reliefs as claimed or to maintain them. The action of the said Complex, in purporting to terminate the services of the employees concerned, at the year ending and re-employing them again, on the next day, was, in my view of bona-fide, although Mr. Gupta claimed that they were retrenched. But on such submissions, I think, the employees concerned, would not be entitled to any benefits as they were really appointed on the next day, and are still working and in some cases, have also received and accepted promotions. It should be noted that the Fourth National Coal Wage Agreement, as in force by paragraph 1.2, makes it clear that the same will cover all categories of employees in the Coal Industry, who have been covered by the National Coal Wage Agreement Nos. I, II and III and also the employees of those establishments, which was functioning and may be functioning under the Coal companies and the employees concerned here, by virtue of their respective dates (which were in 1981) of appointment will come under the protective umbrella as indicated.

21. In view of the above and more particularly, when I feel, the action of the said Complex to be not bonafide, the employees concerned, can certainly claim their continuity of services and other corresponding benefits. In fact, on such re-appointment or thereafter, they have received promotions and that too, without raising any of the objections would be of immaterial consideration. The acceptance of the promotional benefits by the employees concerned, cannot debar them from claiming the benefits of continuous service.

22. Such being the position, I answer the Reference in the affirmative and in favour of the employees concerned, as a

result whereof, they should be entitled to all the benefits of continuity of service and the defence of the said Complex, should be deemed to be, not only an after-thought, but the same was not also bonafide.

This is my Award.

MANASH NATH ROY, Presiding Officer

Dated, Calcutta,

The 23rd March, 1993.